# MINUTES

OF THE

# GENERAL SYNOD

OF THE

# REFORMED PRESBYTERIAN CHURCH,

SESSION SEVENTEENTH,

HELD IN THE CITY OF PITTSBURGH,

**October, 1834.**

---

WITH AN APPENDIX, CONTAINING

**TWO OVERTURES:**

**I. On the 'Jury Act,'**
**II. On the Magistrate's Power,**

CIRCA SACRA.

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NEWBURGH.

PRINTED BY C. U. CUSHMAN,

1834.

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PITTSBURGH, Oct. 8th, 1834.

Synod met agreeably to adjournment, at 7 o'clock, P. M. The Moderator, Rev. John Cannon, opened the meeting with a Sermon on the subject assigned him, from Rom. 13, i. "*Let every soul be subject unto the higher powers; for there is no power but of God: the powers that be are ordained of God.*" After sermon, the Court was constituted by the Moderator with prayer.

Adjourned to meet same place, to-morrow at 9 o'clock A. M.

Same place, 9th Oct. 9 o'clock A. M.

The Court met and was constituted with prayer. The members of the present Synod were ascertained, when it appeared that there were present from the

*SOUTHERN PRESBYTERY,*

| MINISTERS. | RULING ELDERS. |
|---|---|
| Rev. R. GIBSON, | Mr. JOHN HOUSTON. |
| " J. R. WILLSON, D. D. | |
| " C. B. M'KEE, | |
| " M. RONEY, | |
| " D. SCOTT, | |

*NORTHERN PRESBYTERY.*

" S. M. WILSON.

*OHIO PRESBYTERY.*

| | |
|---|---|
| " JOHN WALLACE, | " ABRAHAM PATTERSON, |
| " D. STEELE, | " CHAS. TONER, |
| " J. B. JOHNSON, | " ALEX. FOSTER. |

*PITTSBURGH PRESBYTERY.*

| | |
|---|---|
| " JOHN CANNON, | " THOS. GEMMIL, |
| " JAS. BLACKWOOD, | " SAM'L. STERRIT, |
| " THOS. SPROULL, | " NATHAN JOHNSTON, |
| " WM. SLOANE, | " SAM'L WYLIE. |

From the Western Presbytery no representation.

The Rev. Robert Gibson, was chosen Moderator; Moses Roney, Clerk, Thomas Sproull, Assistan Clerk.

The minutes of last meeting were read, and corrected. Papers were called for, received and numbered as follows: No. 1. A memorial from three Ruling Elders of the Greenfield Session. No. 2. A memorial from several members of the Greenfield congregation.

Resolved, That Presbyteries have leave to report.

Two papers, the one signed G. M'Millan, the other Geo. Hartin, were laid on the table. As they were not directed to this court, it was moved and seconded, that they be returned. A divison was called for so as to take the question on the papers separately. The paper signed G. M'Millan was ordered to be returned. The farther consideration of the motion was deferred for the present, and on motion it was,

Resolved, That the paper signed Geo. Hartin be referred to a committee of three, to make enquiry respecting it and report on the propriety of its reception. Cannon, Roney and Gemmil were appointed the committee, Steele and Houston were added by vote of court.

Adjourned, to meet same place, 3 o'clock P. M.

Same place, 3 o'clock P. M.

Synod came to order and constituted. All the members present. Minutes read. The Moderator announced the following standing committees: 1. On unfinished business,—Blackwood and Wallace. 2. On Discipline,—Cannon, Roney and Wylie. 3. On Signs of the Times,—Steele, Scott and Sterrit. 4. On Synodical and Presbyterial Reports,—Dr. Wilson, M'Kee and Gemmil. 5. Foreign correspondence, Roney, Sproull and Houston. 6. Finance,—S. M. Willson, Toner, and N. Johnston. 7. Theological Seminary—Sloane, J. B. Johnston and Patterson.

The committee to whom was referred the paper signed Geo. Hartin, reported. Their report was accepted and adopted, as follows:

"The committee * * * * * * * report, that in their judgment the paper is inadmissable for the following, with other reasons:

1st. The paper is not addressed to us; and this seems to have arisen, not through inadvertence, but deliberate intention.

2nd. In part of the body of the paper, the name of an individual, professing to act as pastor of the congregation, from which this paper purports to come, is identified with the people under the name "Teacher," while they style themselves the "taught," shewing plainly to your committee, that the paper was got up under his influence.

3d. It is plainly stated, that those, who profess to memorialize you, intend to act in a similar manner towards those, who have gone out from us, called by them the 11th St. Synod.

The Western Synod and the Ohio Presbytery, respectively presented their reports, Nos. 3 and 4.

Resolved, That the papers laid on the table be read and disposed of.

No. 1. was read, accepted and referred to the committee on Discipline.

No. 2. was read and ordered to lie for the present on the table.

No. 3. was read, accepted and referred to the committee on Synodical and Presbyterial Reports. The following are extracts:

"Our next" (second) "stated meeting was held in Pittsburgh, September 2, 1833. At this meeting, the Libel against Dr. Black, referred by you, was taken up and disposed of as follows: The Synod consider his conduct, in the disorderly course which he pursued at the meeting of General Synod in Philadelphia, and in withholding from that court its papers, *highly censurable*—yet, taking into consideration, that the General Synod did, ("by resolution") declare—that those who formerly belonged to, but have now withdrawn from us, are "prohibited from holding a seat in our court, or exercising authority, or any way interfering, in the judicatories or congregations of the Reformed Presbyterian Church, while maintaining such principles or pursuing such practices,"—Therefore

Resolved, That this court consider it unnecessary to proceed in the prosecution of the Libel.

The Pittsburgh Presbytery reported to us the ordination of Messrs. John Crozier and Thomas Sproull, and the Ohio Presbytery, the ordination of Mr. John Wallace.

The Synod transferred the Rev. Robert Wallace from the Pittsburgh to the Ohio Presbytery.

For farther and more particular information, relative to the state of our church in the West, we beg leave to refer you to the reports of the Presbyteries respectively.

We doubt not, Rev. Fathers and Brethren, you will be gratified in hearing of our harmony and increasing attachment to our Covenanted Reformation Testimony."

No. 4. was read, accepted and referred to the committee on Synodical and Presbyterial Reports, except so much as relates to matters of Discipline. This to committee on Discipline. The following are extracts from this document:

"The Reformed Presbytery of Ohio beg leave to report—That, in the wise and gracious providence of our common Lord, our organization has been preserved. We have been recently called, in common with our covenant fathers and brethern, to "sing of mercy and of judgment," with reference to peculiar circumstances. But in the way of his mercies, rather than of his judgments, have we been permitted to wait for him. We have experienced the chastisement of our Heavenly Father. This has been followed by some fainting; while we have much ground to conclude, that the peaceable fruits of righteousness have been increased thereby, among those who continue to hold fast the word of Christ's patience.

We believe there is a growing love to our Testimony, among the people under our care. Evidences of this may be gathered from their edifying conversation—their mutual and fervent love, especially when called publicly to seal their covenant with God and with one another:—their punctuality in attending upon God in the public, social and private ordinances of his grace.

The calls of our people, for ministerial supply, are very greatly multiplied. Our labors, within the last year, have extended from the Muskingum river in Ohio, to the interior of Illinois, and from Michigan, to the borders of South Carolina.

We have within our bounds seven vacancies, besides places of supply and societies numerous and growing.

Agreeably to your instructions, the Rev. Hugh M'Millan has been stricken off the list of our constituent members of Presbytery.

Since your last meeting, Mr. J. B. Johnston has been ordained and installed pastor of the Miami congregation.

Rev. Fathers and Brethern, we look to you for counsel. In much weakness we have been endeavoring to exercise forbearance and to sympathize with the children of our mother; so far as could be done consistenly with faithfulness to our covenant Head and the integrity of our covenanted Testimony.—We can truly say, that a regard for the preservation, pure and entire, of divinely prescribed order, and, that we might not "partake of other men's sins," were among the motives influencing us to take the following steps judicially, with some of our ministerial brethren.

A letter of inquiry and notification (of time and place of meeting) had been addressed to the Rev. Gavin M'Millan, the receipt of which he acknowledged in a communication to our

Moderator. In reference to said communication, as also to his joint interest with Rev. Ebenezer Cooper, in publishing what is called "a Circular," we proceeded in the manner following, as recorded in our minutes, viz.

"The court refused to receive that document, it not being an answer to the letter addressed to him (Rev. G. M'Millan,) by this Presbytery.

As respects the Circular and the present standing of the Rev. G. M'Millan, Presbytery adopted the following preamble and resolutions:

"Whereas Rev. G. M'Millan, owing to difficulties in his way, is not prepared to take his seat in this Presbytery, Therefore

Resolved, That the said Rev. G. M'Millan has disqualified himself, for the present, by his own act and declaration from co-operating with his brethren in transacting presbyterial business; and,

Whereas the Rev. E. Cooper, and G. M'Millan have severely censured, in their circular letter, the proceedings of our Synods, viz. the E. S. Synod met, *pro re nata* in Nov. 1832, and by adjournment in April, 1833; and our General Synod, met in Cherry-street church, Philadelphia, in August, 1833. And, whereas said Rev. G. M'Millan did publicly affirm in the Ohio Presbytery, on the 29th May, 1834, that, in his opinion, the Synod, which met in Cherry-st. Church, in the manner of its movement from 11th to Cherry-st., acted unpresbyterially; Therefore

Resolved, That this court refer the cases of both these brethren to the General Synod at its first meeting, to take order therein."

The Report of Synod's Treasurer was presented by Dr. Willson, No. 5. The Pittsburgh Presbytery presented their report. No. 6.

No. 5. was read, accepted and referred to the committee on Finance.

No. 6. was read, accepted and referred to the committee on Synodical and Presbyterial reports.

The following are extracts from this report:

"Since the last meeting of your Reverend body, some things of interest and importance have occurred within our ecclesiastical limits. The names of Dr. Black, J. Gill, T. C. Guthrie, A. W. Black and Geo. Scott, have been stricken from the rolls, in accordance with the views of the Synod, "for corrupting

the doctrines, contemning the authority, and violating the order of the church."

To the loud and pressing demands for ordinances from the congregations vacated by the defection of their pastors, we were unable to give an adequate supply. In three of these congregations, the sacrament of the supper was dispensed in the autumn of 1833. Three ministers have been installed pasters of congregations. Mr. Crozier in the Monongahela congregation; Mr. Blackwood in the united congregations of Little Beaver, Camp Run and West Greenville; Mr. Sproull in the congregation of Pittsburgh.

A comparison of our former, with our present situation, whilst it furnishes cause to lament the diminution of our number, by the defection of former brethren, also presents matter of thankfulness to God, that so many of our *people* remain faithful in the practice, as well as the profession, of Reformation principles. "The Lord hath not dealt with us as we have sinned. In wrath he remembers mercy. We will sing of mercy and of judgment."

We trust the afflictions of our Zion have been sanctified to us. Ministers and people have been roused to more zeal and activity than formerly, in maintaining our Testimony. Our sessions are no longer troubled in dealing with men, who prefer the "gay clothing" of those who "live in kings' houses," to the sackcloth of the witnesses, whilst in their wilderness banishment.

Mr. Walkinshaw, a probationer, certified and dismissed to us by the Southern Presbytery, arrived amongst us near the end of August. His labors have been very refreshing to our destitute people. Mr. M'Kinney has not been transferred to us by the Ohio Presbytery according to your direction.

The people of our charge are scattered over a circle of about 100 miles in diameter, of which Pittsburg is the centre. We have reason to believe, that this section of country would, in regard to morality, bear a comparison with any other in the land. Valuable *old* books are republished in Pittsburgh and find ready sale in the adjacent country. The community, in some parts, seem to be awakening to the subject of slavery; denouncing it as a political, moral and national evil. Anti-slavery societies are forming and liberal principles seem to progress.

The various Presbyterian bodies around us are generally Calvinistic in sentiment and strict in discipline. Temperance

societies are popular and are doing much good. Our views in relation to Civil Goverment, are generally admitted in theory; but, our brethern, of other denominations, say, "they are not good at this time."

Amidst all our discouragements our congregations are growing and we would not wish to despise the day of small things."

The Northern Presbytery reported. No. 7. The report was read, accepted and referred to the committee on Synodical and Presbyterial Reports.

This report, after stating that the business transacted had been chiefly of a local character, and reporting the licensure of Mr. John Holmes, proceeds: "That the provinces on the North present an important field for missionary effort, we are fully convinced from personal observation. We would not disguise the truth, however, that there are obstacles to the prosecution of a mission in that portion of our continent.—There Satan has his seat. He exerts his power in the Popery and Prelacy of these colonies; and, in the various forms, which heresy has there assumed. The abounding wickedness has produced its influence on those, who had received a religious education, before emigrating thither.

Another impediment we can by no means omit. Preachers of the Gospel have not, in all instances, sustained that irreproachable *moral* character, which is indispensable to the success of true religion. There have been examples of this unhappy kind, presented by persons, from whom *we ourselves* had expected better things.

Our settled congregations are gradually increasing in numbers, and we have reason to hope, in experimental piety.—Evidence of this we have in their continued attachment to the Reformation principles of our Covenant fathers, in the regularity with which they wait upon God in the use of the instituted means of grace and in their harmonious and united efforts for the promotion of undefiled religion. The congregation in Topsham is still a vacancy. That in Argyle we recommend to be put under the care of the Southern Presbytery, in view of its proximity to them, and remoteness from us.

We cannot deny ourselves the satisfaction of recording the pleasure, felt in witnessing the indications of Divine Providence on behalf of some of the distinctive features of the church's Testimony. We here refer to the recent movements on the subject of Slavery. And we do this with the greater gratitude, inasmuch as they have occurred at a time, when some, who seemed to be pillars among us, have proved recre-

ant to the cause of Reformation. We have had some opportunity of becoming acquainted with some of the leading anti-slavery men of our bounds, and we have found them employing the same argument on the evils of slavery; and fixing upon the same clauses of the United States' constitution, to show that slavery is a NATIONAL sin, which this church has done from the commencement of its organization in this land.—This is the more worthy of observation, as these individuals have never had an opportunity of knowing the views, which our church has always maintained on this subject. They have never "had their consciences *manufactured*." They have arrived at the conclusion to which they have come, by the power of truth.

We have every encouragement to "hold fast the profession of our faith without wavering, knowing that he is faithful who has promised."

The Ministers present, and Ruling Elders from congregations not having pastors present, were interrogated as to the observance of the Thanksgiving and Fast Days. The answers were all satisfactory.

Enquiry was also made respecting the observance of the order of the Synod, to take up collections in aid of the fund for the support of superannuated ministers; when it was

Resolved, That though attended to in several congregations, the result is not so satisfactory as might have been reasonably expected; and that the members be enjoined to give all diligence to procure greater punctuality in time to come.

Resolved also, that the Presbyteries be enjoined to see that the collection contemplated above, be taken up annually within their respective bounds.

Adjourned with prayer to meet to-morrow at half past 9 o'clock, A. M.

*Same place, 10th Oct. half past 9 o'clock, A. M.*

Synod met and constituted. All the members present, except Cannon, Houston and Sproull, who came in soon after.

Resolved, That the members, having monies for the travelling fund, be directed to report to the committee on Finance as soon as practicable.

On special motion, the Rev. John Crozier was invited to a seat in the court, as a consultative member. Mr. Crozier took a seat accordingly.

The committee on unfinished business reported. Report accepted, and on motion, the court proceeded to consider the several items in order, when it was found upon enquiry, that

the Book of Discipline had not been published as directed, for want of a copy. The reason was sustained as satisfactory. It also appeared, that the "Causes of Fasting and Thanksgiving" had been published as directed—that Mr. Scott had prepared for the argumentative part of our Testimony a paper on the subject assigned him at the last meeting, viz. "The enforcement of the Jury Act,"—that Mr. Sloane had, as directed, prepared a paper on the "Magistrate's power *circa sacra*;" and that Mr. M'Kee, who had been directed to prepare a "refutation of the Hopkinsian Errors," was not ready to report, as he had been travelling extensively since the time of his appointment. Mr. M'Kee's excuse was sustained and the appointment continued. It also appeared, that the committee appointed to prepare a statement of the reasons why the members of Synod could not meet with those who assembled in the 11th-St. church, Philadelphia, had not fulfilled the appointment; because, in their judgment, such statement was rendered unnecessary, by the appearance of other publications. The reason was sustained and the committee discharged.

Mr. John Renfrew, Jr., a delegate from the Southern Presbytery, presented his certificate and took his seat in court.

Mr. Scott was called upon to submit the paper, which he had prepared on "the enforcement of the Jury Act." He read it accordingly. Synod had a recess of 10 minutes. After the recess, court came to order.

Resolved, That the paper submitted by Mr. Scott be accepted and referred to a committee of three to report thereon. Dr. Willson, Cannon and Wylie were appointed the committee.

Synod resumed the consideration of unfinished business, when it appeared, that no plan had been devised for raising funds in support of a Theological School. The reasons assigned were sustained and the committee discharged.

On the resolution concerning "occasional hearing," offered at last meeting, some remarks were made, when, on motion, Synod Adjourned to meet at 3 o'clock, P. M.

*Same place, 3 o'clock, P. M.*

Synod met and constituted. All the members present. Minutes read.

The consideration of the report of the committee on unfinished business was resumed.

On motion, the part of the report under consideration (respecting the resolution on "occasional hearing,') was amended, so as to read, "Your committee cannot see the propriety

of the above resolution being acted upon by this court. We, therefore humbly recommend, that nothing farther be done in relation to it, inasmuch as, Synod is not apprized of the necessity of any Declatory Act." As thus amended, the recommendation of the committee was adopted.

Mr. Houston was, by vote of court, added to the committee on the Theological Seminary. Mr. Wylie obtained leave of absence till Monday.

Resolved, That a committee of three be appointed to devise and report to Synod at its present sessions, some more efficient plan for conducting the education of young men preparing for the ministry until the Theological Seminary be resuscitated. Scott, Dr. Willson and Steele were appointed.

Paper No. 2. was taken up and read. This document contains harsh strictures on resolutions formerly passed by Synod respecting the American Colonization Society, and prays for their expunction from our minutes. On motion, the memorialists had leave to withdraw their paper. On their refusal to withdraw it, it was

Resolved, That the paper be returned. It was returned accordingly.

Resolved, That a committee be appointed to report, at the present sessions, on the propriety of publishing another edition of "Reformation Principles." Dr. Willson, Sproull and Renfrew were appointed.

Adjourned to meet to-morrow, at 9 o'clock, A. M.

*Same place, 11th Oct. 9 o'clock, A. M.*

Synod met and constituted—All the members present except J. B. Johnston, Sproull, Wallace, and S. M. Willson, all of whom appeared in their seats soon after. Minutes read.

Mr. Sloane was called upon to submit his paper on the "Magistrate's power *circa sacra*." It was read and referred to the writer, at his own request, to make some corrections, and return it as soon as practicable.

The committee on the Theological Seminary reported.—The report was returned with instructions to enlarge it.

The committee on "The Signs of the Times" reported; report accepted, and referred to the same committee, to enable them to prepare and report "Causes of Fasting and Thanksgiving."

The committee on Discipline reported in part. Report accepted. Moved and seconded, that in room of the report we adopt the following resolution, viz: That the farther consid-

oration of the memorial from three R. Elders of the Greenfield session, be indefinitely postponed. The resolution was adopted. Adjourned to meet on Monday, 13th inst. at 10 o'clock, A. M.

*Same place, 13th Oct. 10 o'clock, A. M.*

Synod met and constituted. All the members present except Renfrew, Toner and Wallace. Minutes read. Mr. Wallace took his seat. The committee appointed to report a more efficient plan for conducting the studies of young men preparing for the ministry, reported. Renfrew and Toner appeared. The report was accepted, and on motion, considered article by article. The several articles were adopted with amendments. The Moderator intimated his dissent from the adoption of the 3d article, and requested it to be recorded. The whole report, as amended, was adopted as follows:

1. Young men intending to prosecute the study of theology shall have graduated in some respectable college before they be admitted as regular students under the care of presbyteries. Except in cases where Presbyteries in view of particular circumstances may order otherwise. In such cases, presbyteries shall report to General Synod at its first meeting on the premises, and be held responsible.

2. And shall have obtained a competent knowledge of the Greek and Latin languages, of Mathematics, Natural and Moral Philosophy, Logic and Belles Lettres, and have made some progress in the study of the Hebrew language, church history, natural theology, and the evidences of the christian religion, all of which shall be ascertained by examination before presbytery.

3. On application to presbytery for admission to the study of theology, presbytery shall be furnished with certificates, or other satisfactory evidence, that the applicant is in the actual membership and communion of this church, and has completed the twentieth year of his age.

4. No Student shall be licensed to preach the Gospel until he shall have completed four years regular study, counting from the time of his admission by Presbytery.

5. Presbyteries shall order young men under their care to prosecute their study under the direction of such ministers as presbyteries may appoint.

6. That members of presbyteries having students under their charge, shall conduct their studies in the follow manner. Ecclesiastical history, Biblical criticism, and Didactic theology. The course of Ecclesiastical history shall include the

whole period of the church down to the present day, embracing the histories of Mosheim, Milner, and especially the history of the Covenanted Church, since the reformation. The course of Biblical criticism shall include a critical reading of the whole Scriptures in their originals, with a careful perusal of some standard authors on this department of study, such as Campbell's preliminary dissertations to his translation of the Gospels, Horne's introduction to the critical study of the Scriptures, Lowth's dissertation prefixed to his translation of Isaiah, and Lowth on the Poetry of the Hebrews. To these may be added some standard works on the best method of Sermonizing, such as Claude on the composition of a sermon, and the Arch Bishop of Cambray on Pulpit Eloquence.

The course of Didactic Theology, shall include an enlarged reading of the best writers, such as Witsiu's Economy of the Covenants, Turretine's System of Theology, Calvins' Institutes, and the works of Owen.

On these different branches of study, members of presbyteries, having the charge of students, shall direct them to prepare essays and discourses at short and regular pariods. Essays shall be read, and Discourses delivered.

7. Each student shall deliver to presbytery two Discourses annually on such subjects as presbytery may prescribe, which discourses shall be exclusive of those delivered on trials for licensure.

8. At one of the regular meetings in each presbytery, there shall be an annual examination of such students as may be under its care. This examination shall embrace the subjects of study during the preceeding year.

9. These Regulations shall not effect students already on trials for licensure, nor, so far as it relates to admission, such as are already under the care of Presbyteries.

10. These regulations shall supersede all former, until the resuscitation of the Theological Seminary.

The committee on Discipline reported in full. The report was accepted and, after several remarks, recommitted.

Adjourned, to meet to-morrow, at 9 o'clock, A. M.

*Same place, 14th Oct. 9 o'clock, A. M.*

Synod met and constituted. All the members present, except Renfrew, Toner, Wallace, J. R. Willson, and S. M. Willson, all of whom came in soon after. Minutes read.

The committee on the Theological Seminary reported.—Report accepted and, on motion, the farther consideration of said Seminary was postponed till next meeting of Synod.

The committee on "The Signs of the Times" reported. Report accepted and, on motion for its adoption, was considered paragraph by paragraph. The several paragraphs were adopted with amendments, when the motion for adopting the whole report was agreed to. It is as follows.

## CAUSES OF FASTING.

There is much in the existing state of things, whether it relates to the world generally, or to the state of religion, which calls for mourning and humiliation in the sight of God.

The general aspect of society at present is, as it has hitherto been, far from encouraging in a moral and religious point of view. Gross immorality prevails, especially in our great commercial cities, impiety and irreligion abound: and a spirit of practical infidelity pervades society in all its ramifications, and influences it, in all its relations. This noxious principle seems to be loosening the moral bonds which unite and hold together the social fabric and fast breaking down the foundations upon which society rests.

Among professors of religion generally, false and dangerous opinions are far from being rare: on the contrary, erroneous views on the grand and leading points of christianity abound to an extraordinary extent. In extensive districts of our country Socinianism and Arianism with the other heresies which always accompany these corruptions of the Christian religion, are almost the only forms in which it is professed. Arminionism, in its grosser aspects, is avowed and propogated to an alarming degree; and Hopkinsian doctrine which unfolds some of the worst features of the tenets of Pelagius and Arminius fills the length and breadth of the land, poisoning the minds of men and alienating them from the love of Divine truth, and the simplicity of the Gospel of Christ.

Whole sects wearing the Christain name are thus arraying themselves against the truth of God, or changing it into a lie. And these are in most cases characterised by a zeal and activity that might do honor to a better cause; but which, when thus employed, only enlarge the grounds of mourning before God. Popery prevails to an alarming extent, and has become so powerful that the political parties in the country appeal to its votaries for support.

The nation still continues to set itself in opposition to the Lord and His anointed. The authority of God is disobeyed, and the claims of Messiah are rejected. "Vile men are high in place," and, independently of the Divine promise, there is no prospect of the nation's returning to a sense of its duty by vowing allegiance to the God of Heaven, and submitting to the Lord Jesus Christ "the Prince of the Kings of the earth." Their conduct says "who is the Lord that we should obey Him?" It is not to be concealed that the obligation of the revealed will of God is not only excluded from the consideration of men in power, as it respects all matters connected with civil rule and administration of justtce, it is despised and deliberately cast from them. They do not set God before their eyes. As a nation we ought to tremble, for He who cannot lie hath said "the nations that forget God shall be turned into Hell."

Great national injustice is committed as it respects the legal sanction which is still given to the exceedingly sinful practice of Slavery. Avaricious men, in despite of the law of God, deal in slaves as if they were mere cattle; they commit an outrage on the image of God; and the supreme law of the land does not only wink at the provoking sin, but, ah! "tell it not in Gath," it sanctions and supports the heartless and unfeeling practice! Even professing christians are aiding and abetting the abominable practice, and the law removes not, but binds the heavy burden on the oppressed, whom God hath commanded to be made free.

The Lord's day is exceedingly profaned. This sin is rapidly growing, and assuming the unpleasant feature of a national characteristic. In no part of the preceding history of this country, it is presumed, has the profanation of the Lord's day prevailed to such an alarming extent as at the present.—This sin has certainly much inereased during the past year; and is a painful and distressing symptom of the growth of immorality and irreligion throughout the land. Stage Coaches, Steamboats, and private Vehicles are busily employed in carrying either men of business or of pleasure on the Sabbath of the Lord our God. And the sin is made particularly national, by the carrying of the Mail on this day, and the management of the whole Post Office Department. Thousands are thus required by law, and oath of office, to desecrate the Sabbath, instead of spending it as a day of holy resting.

The desecration of the Sabbath in this way, gives a pub-

lic and authorised example on the part of the rulers of the land, which must have a baneful influence on every part of society, the natural result of which is the rapid increase of Sabbath profanation, to which reference is made in the preceding part of this remark.

To these mournful aspects which the present time displays, may be added the deep and violent political animosities, which have agitated the land during the past year, furnishing fuel to the furiously excited passions of the human soul, thus adding immeasurably to the vast accumulation of national transgression.

While looking at the signs of the times, we ought not to lose sight of our own moral and religious condition, as a part of the household of faith. With us there are sins against the Lord our God. The gospel and its ordinances have not been followed by an adequate improvement. The fruits of righteousness have not been equal to the means of religious improvement with which we have been furnished. Nor have we manifested that deep sense of gratitude which we ought to feel and exemplify in our conduct because of the loving kindness of God.—Our love is comparatively cold, and our fruits of holiness comparatively small. There is, indeed, much of the form and and outward show of religion, with, in many instances, we fear, but little of its power.

## CAUSES OF THANKSGIVING.

While we have reason to unfold the roll of iniquity, and to humble ourselves because of our own sins, and the sins of the land in which we dwell, that the Lord our God may heal our backslidings and love us freely—we would also make mention of the loving kindness of the Lord which we have experienced during the past year, and of the favorable symptoms which the present time exhibits, notwithstanding much that it offers of a very distressing kind.

The past year has opened up to the prospect of the Reformed Presbyterian Church in the United States, a view incomparably more delightful than any she has beheld for many years before.

Peace and harmony which had been banished from her courts are again restored; strife has ceased, and all her offi-

cers meet now to attend to the concerns of the house of God, under the prevailing feeling of kindness towards one another.

The good order of the Church is restored and preserved in a considerable degree, and discipline where it had been neglected is revived, and more faithfully and more impartially administered.

The tide of angry and strongly agitated feeling, which for years had been breaking in upon the peace of congregations, and which more lately had severed the bonds of brotherly love among the members of the church, has now subsided. The moral hurricane which threatened to lay waste our Zion, has passed away; and we are now admitted once more to the peaceful repose of christian communion and love.

The ordinances of religion, public, social and private, are more carefully and punctually attended to. The present, is evidently a time of reviving from the presence of the Lord; the spirit of christian activity, which had for some time been slumbering to a very sinful degree, is now in part, awakened; and we have reason to hope that the Spirit of life will still descend upon us in His blessed fulness.

Among the favorable symptoms of the present time, we would not overlook the spirit of inquiry which has lately been revived. There is now a strong disposition manifested by the members of the church, to inquire for the good old way, so as to walk therein. They appear anxious to increase in knowledge, and especially in that of the distinguishing principles of thechurch. Knowledge of correct principles is evidently on the increase.

When we look beyond the boundaries of the Reformed Presbyterian church, here too we find grounds of thankfulness. The vice of drunkenness, although it numbers many whom it has ruined, or is ruining, is not by any means so prevalent as it has been in past times. Efforts which have been made to encourage temperance, and restrain from the use of Ardent Spirits, have been successful in as large a degree as we could have contemplated. We no longer find in respectable society, men tempting, and being tempted by one another in the common and familiar use of intoxicating liquors.

It is gratifying to find in some of the other denominations of christains, a testimony for the doctrines of Evangelical religion. Although this testimony bears but a small proportion to the heresies which are zealously promulgated, yet we would not despise the day of small things. We cannot refrain from

expressing our gratitude to the Head of the Church, that in his providence, he is directing the public mind to a consideration of the sin of slavery, existing in this land under the sanction of *constitutional law*. Nor would we omit to mention, that the Associate Synod, after much discussion, has prohibted Negro slavery, making it a censurable offence in that denomination, to hold their unoffending fellow creatures in involuntary bondage.

Nor in this enumeration of the signs of the times, would we be unmindful of the propitious change that has been made, and is now making, in reference to the General Assembly. A more determined stand in behalf of truth has been taken by many. The "Act and testimony" with other public documents, evince that while loose views and sentiments on religious subjects are prevalent, nevertheless there are some who are not only willing to support the truth of evangelical doctrines, but who also came boldly forth before christian society with an explicit testimony.

The good hand of God is apparent in his providential dispensations relative to the state of public health. Although his arm has been still stretched over the land in the awful judgment of Cholera, yet its ravages have not been so great and desolating as in a former year. For these and other reasons, it becomes us to adopt the language of Scripture; and under a deep sense of God's goodness to say "Bless the Lord, O my soul; and all that is within me, bless his holy name. Bless the Lord O my soul, and forget not all his benefits, who forgiveth all thine iniquities; who healeth all thy diseases; who redeemeth thy life from destruction; who crowneth thee with loving kindness and tender mercies."

The Synod appoints the third Thursday of December, 1834, to be observed by all the people under our care, as a day of Thanksgiving; and the third Thursday of March, 1835, as a day of Fasting.

The E. S. Synod reported No. 8. Accepted and referred to the committee on Synodical and Presbyterial reports. The following are extracts.

"The Eastern Subordinate Synod of the Reformed Presbyterian church, respectfully reports that we have held one meeting since August last. We rejoice in saying that no appeal, nor any case of discipline came before us. So quiet was the state of the church in our region, that we had little else to do than to hear the reports of our Presbyteries, and

dispose of Licentiates and unsettled Ministers among our Presbyteries.

Our Presbyteries report the several congregations to be in a flourishing state, ordinances duly observed, and generally increasing, in number, and, as is believed, in attachment to our principles and increase of piety. There has been an unexampled call for ministerial help. Though we have had at our disposal, most of the time, four unsettled ministers, and three probationers, yet we have had no adequate supply. The sacrament of the Lord's Supper has been dispensed in most of our vacancies—in some of them twice. In the bounds of the Southern Presbytery, five calls have been granted during the past season, and there are *eight vacancies* in the bounds of our Synod, ripe for settlement, and calling for ministerial labour. In this there is a striking contrast between our condition and that of our former brethren. According to the best of our knowledge, they have not one vacancy in our bounds capable to support even a missionary for six months. They have many young men under their care coming forward to the ministry without the most distant prospect of settlement in their communion, who must necessarily seek a living in some other.

Since the division in August, 1833, they have lost certainly, three of their ministers, and a fourth has retired from the public ministry, while we have to record, to the glory of our God, that not one of our ministers or probationers has turned away from our communion, or manifested the most distant disposition to do so.

The present struggle in the General Assembly church has had a salutary effect upon ours in the North. The orthodox among them are employed in advocating the maintenance of their standards. They look with approbation upon those among us who refuse to recognize as honest members, men who subscribe the standards, and trample them beneath their feet: nor is it improbable that our stedfast adherence to the standards of the church, and determination to resist men of the most influential character when making encroachments, may have produced some effect in their honest struggle for their confession and its doctrines.

The Northern Presbytery has licensed a young man and sent him to Lower Canada, to co-operate with Mr. McLaughlin, a missionary from Scotland. How he has succeeded is not yet known; but it is hoped that his labour will not be in vain.

We have only two probationers in our bounds, and one unsettled minister who is able to travel. Our demands for preaching are great, and we earnestly solicit all the aid in your power.

All things considered, our church in the North has never been in a more flourishing state. We are far from being discouraged. The storm has spent its strength, and passed by. Peace is in all our borders. Our sessions, Presbyteries and Synod meet, transact business, and part in the utmost harmony, and we endeavor to live in peace and friendship with our former brethren, while we utterly disapprove of their unhappy defection.

That the blessed Head of the church may preside in your judicatory, and that your deliberations and decisions may tend to the divine glory, and the church's good, is the earnest prayer of your Brethern in the Lord."

The committee on Finance reported. Report accepted, and on motion, adopted. The report states, that the Treasurer's account is upon examination found correct—and that they have received for defraying the travelling expenses of Ministers and R. Elders $233 34, which amount they have distributed to the members according to their respective distances.

A petition signed R. Lusk, was presented, No. 9.

It was read and referred to a special committee of three.—The Moderator referred the appointment to the court. Court appointed the Moderator, M'Kee and Gemmil. S. M. Willson and Houston were added. Resolved, That the committee have power to call for persons and papers.

Adjourned, to meet at 3 o'clock, P. M.

*Same place, 3 o'clock, P. M.*

Synod met and constituted. All the members present.—Minutes read.

The committee to whom was referred the petition of Mr. Lusk reported. Report accepted. On motion for its adoption, after various explanatory remarks, in which Mr. Lusk was heard, the farther consideration was deferred for the present.

The committee on Discipline reported on the paper re-committed to them on yesterday. Report accepted. On motion for adoption, the report was considered paragraph by paragraph. The several paragraphs in the preamble were adopted.

Adjourned to meet to-morrow at 9 o'clock, A. M.

*Same place, 15th Oct. 9 o'clock, A. M.*

Synod met and constituted. All the members present.—Minutes read. The consideration of the report of the committee on Discipline was resumed. The several remaining paragraphs were adopted with amendments. The Moderator requested his dissent from the adoption of the first Resolution to be marked. The motion for adopting the whole report as amended was agreed to. The report is as follows:

"Whereas the Rev. G. M'Millan has been active in preparing and publishing a Document, entitled a "Circular," which contains views contrary to the doctrines of this church; which calls in question the order of our supreme judicatory and other courts, and which asperses the conduct of some of our ministers; And,

Whereas he has neglected, though regularly notified of the time and place of meeting, for fifteen months to attend on his own presbytery, and has also neglected to attend meetings of the supreme and subordinate synods; And,

Whereas his declarations and conduct in the Ohio Presbytery, caused that court to resolve, that he had by his "own act and declaration disqualified himself, for the present, for co-operating with his brethren in transacting Presbyterial business," which resolution this Synod approves; And,

Whereas his conduct since, instead of removing his disqualification, has presented it in a still stronger and clearer light; And,

Whereas there is reason to fear, that, Mr. M'Millan's object in various late manœvres, is to gain time for the accomplishment of purposes hostile to the interests of this church, and prejudicial to the maintenance of their solemn vows by the unsuspecting members of the congregation to which he ministers; And,

Whereas it is considered inexpedient, under all the present circumstances, to defer acting in his case until the presbytery having jurisdiction over him, can adjudicate thereon, therefore

Resolved 1st, That the Rev. G. M'Millan be required immediately to submit himself to the Ohio Presbytery; otherwise he is hereby prohibited from exercising his ministerial office.

2nd, That the whole case be referred to the Ohio Presbytery, to take order thereon, and terminate it as in their judgment they shall find best.

3d. That the case of Mr. Cooper be referred to the same presbytery, with similar instructions."

The committee on the publication of another edition of "Reformation Principles" reported. Report accepted and on motion, adopted as follows:

"The committee ——— report the following resolutions:

1st. That another edition of "Reformation Principles" be published as speedily as possible.

2nd. That the "Historical view, &c." be continued down to the present time.

3d. That a collection for the purchase of paper be taken up in all our congregations, on the next day of Thanksgiving."

Resolved, That as it is understood, the committee are prepared to report a draught of the continuation of the "Historical View," they be called on to submit it. Dr. Willson read the draught. It was accepted and referred to a committee to report thereon. Steele, Cannon, S. M. Willson, Gemmil and Sterrit are the committee.

The paper read by Mr. Sloane, at a former sitting, on the Magistrate's power *circa sacra* was referred to a committee consisting of Scott, M'Kee and Crozier, to report thereon.

Adjourned, to meet at half past 2 o'clock, P. M.

*Same place, half past 2 o'clock, P. M.*

Synod met and constituted. All the members present.—Minutes read. Moved and seconded, that when this court adjourn, it be to meet in Pittsburgh on the first Wednesday of October, 1836, at 7 o'clock, P. M. A division being called for, the first part of the motion—naming the place—was adopted. The second part was adopted.

The report on the petition of Mr. Lusk was taken up and considered farther, article by article. The several articles were adopted with amendments. Mr. Lusk was interrogated as to his sorrow for the course which he had pursued. His answers were highly satisfactory. He also expressed entire submission to the court in the Lord.

The whole report was farther amended, and as amended, adopted, as follows, viz.

"Resolved 1st. That as the papers &c. of Synod, to which Mr. Lusk refers in his petition, are not forthcoming, therefore this Synod cannot enter into an investigation of the merits of the case; but do, nevertheless, assume the correctness of the former decision; inasmuch as that decision was predicated upon Mr. Lusk's declinature.

2nd. That forasmuch as Mr. Lusk, notwithstanding the decision of the court, did, for some time, continue to exercise the duties of the ministerial office, as though no censure had been inflicted, thereby leading one of our congregations into an act of rebellion; Mr. Lusk cannot be restored to his former standing, without a Synodical rebuke.

3d. That upon Mr. Lusk's submitting to said rebuke, he be, and thereby is, relieved from the suspension, under which he is; but, as a precautionary measure, he is ordered by this court not to exercise his office till directed by the Ohio Presbytery.

4th. That as a *fama clamosa* exists against Mr. Lusk, since his declinature, the Ohio Presbytery be directed to take the earliest opportunity of investigating the case and deal with Mr. Lusk according to the laws of the house of God."

The Moderator called Dr Willson to preside in carrying into effect the third resolution of the above report. The throne of grace was addressed—the rebuke administered, and the suspension removed.

The Moderator stated, that circumstances in his family rendered imperatively necessary his return home. Leave was given. Rev. S. M. Willson was chosen Moderator *pro. tempore*.

Resolved, That "Covenanting" from 2 Kings, 11. 17. be the subject of the opening sermon at next meeting, and that Mr. Blackwood be the Moderator's alternate.

Blackwood and Sterrit obtained leave of absence, the latter on account of ill health.

Adjourned to meet at half past 9 o'clock, A. M. to-morrow.

*Same place, 16th Oct. half past 9 o'clock, A. M.*

Synod met and constituted. All the members present, except Crozier, Toner and Renfrew. Minutes read. Toner and Renfrew appeared.

The Pittsburgh Presbytery asked and obtained leave to present a supplement to their report.

Scott, Sloane and Cannon were appointed a committee to prepare and report, at next meeting, a set of rules for the regulation of Fellowship meetings, making the rules of our sister Synods in Europe the basis.

The Pittsburgh Presbytery presented the supplement to their report. Accepted and referred to the committee on Synodical and Presbyterial reports. It is as follows:

"The Presbytery of Pittsburgh beg leave farther to report,

—That the Rev. Jonathan Gill, whose name we formerly reported as stricken from our rolls, has been, according to the good order of the house of God, restored to membership in our court, and as such is reported to General Synod."

The committee on Synodical and Presbyterial reports reported. Accepted, and on motion, adopted as follows.

"On a review of the reports of our inferior judicatories, there is much ground of gratitude to the Head of the church, for his goodness to the people under our care, since the last sessions of this court. There are about forty congregations, either now supporting, or able to support pastors, besides numerous smaller vacancies. We have also six licentiates, that have been labouring in the cultivation of the heritage of the Lord. There appears to be an increasing attachment to the whole doctrines of the Gospel, embraced in our subordinate standards, more zeal for the cause of God, and more holy walking with God, in attendance on all the ordinances of the Gospel. The congregations and all the judicatories are harmonious in co-operation for the advancement of the prosperity of the city of the Lord. All the churches are increasing in numbers, knowledge and strength. None of our ministers or licentiates have abandoned us, since our last meeting, nor have there been any symptoms of declension from the testimony of Jesus. Many of the people who had been led away by the dissimulation of some who seemed to be pillars, have returned as soon as they perceived the objects of those who have gone out from us. Among those who have returned and been restored to the fellowship of his brethren, from whom he had for some time separated himself, we mention with pleasure, the Rev. Jonathan Gill, who has been again received into the Pittsburgh Presbytery.

It appears that the old standard works of the Reformation are sought after, and read by our own people and by others.

There have also been reported some painful events. Several ministers of the western subordinate synod, having confederated with the suspended ministers, have been excluded from the Pittsburgh and Ohio Presbyteries, parts of whose congregations have been led away from their duty by their former pastors. Many and great evils still continue to prevail in the land.

Your committee do not think it expedient to recapitulate, what must be familiar to all the members of the court, nor have they any measure to suggest, as founded on the interesting documents that have been referred to them.

We recommend that Mr. Walkinshaw be assigned to the Pittsburgh Presbytery, and that Mr. M'Kinney be directed to spend two months, this fall, in the bounds of the Eastern subordinate Synod, and after that to be assigned to the Ohio Presbytery."

Resolved, That the several sums reported to Synod, as raised by congregations under our care, be published in our minutes.

The committee to whom was referred the paper on the Jury Act reported in favor of its publication in "*overture*."—Report accepted and adopted.

The committee to whom was referred the draught of a continuation of the "Historical View, &c." reported. Reported accepted and after some amendment was adopted. The following is an extract.

"That the document be committed to a committee of three, to revise it, in order to its publication in the next edition of Reformation Principles exhibited."

Chrystie, Dr Willson and Roney were appointed the committee contemplated in the above report.

Adjourned, to meet at half past 2 o'clock, P. M.

*Same place, half past 2 o'clock, P. M.*

Synod, met and constituted. All the members present, except Cannon, Foster, Crozier, J. B. Johnston and Renfrew. Minutes read The absent members appeared, except Crozier.

Scott, Chrystie and Gemmil were appointed a committee to prepare and report, to next meeting of Synod, a revised draught of the Book of Discipline, and a draught of Church Government, with forms of procedure appended.

Roney, Chrystie and Houston were appointed a committee to superintend the publication of "Reformation Principles."

Resolved, That the above committee be directed to annex appropriate texts to the several sections of the chapter on adoption, and that they take the "Historical View" from the edition of 1807.

M. Roney was appointed to prepare and present, to next meeting of Synod, a paper on the Arminian controversy, as a piece of the "Argumentative part of our Testimony."

Resolved, That our Terms of communion be published, as an appendix, in the next edition of "Reformation Principles exhibited."

Resolved, That the committee appointed to superintend the publication of said edition, be directed to enquire, whether

the words "and the only rule of faith and manners" ever formed a part of the first article in our Terms of communion, and if so, to have them inserted before publication.

Upon enquiry as to the means by which the expenses of publishing our last minutes were defrayed, the former Clerk presented the following schedule.

| | |
|---|---|
| "Proceeds of publication, | $108 75 |
| Cost of do. | 71 00 |
| Received by Clerk at your order, | 25 00 |
| | 96 00 |
| Balance in favor of Synod's fund | 12 75" |

Resolved, That in all the congregations under our care, subscriptions for the contemplated edition of "Reformation Principles," be taken, which subscriptions shall be paid in advance, to be refunded by the work when published; and that all our ministers and licentiates be ordered to carry this arrangement into effect.

Roney, Gibson, Scott and Houston were appointed to prepare and publish the minutes.

Gibson and Scott were appointed to superintend the publication of the paper on the enforcement of the Jury Act, as an overture, in connexion with the minutes.

Resolved, That it be ascertained for what number of copies, of minutes, &c., persons present will pledge themselves. The result was,

Cannon 32, Foster 12, Houston 40, N. Johnston 10, M'Kee 8, Patterson 20, Renfrew 30, Roney 25, Scott 12, Sproull 40, Steele 24, Toner 30, Wallace 10, J. R. Willson 32, S. M. Willson 20, Wylie 20.

The following preamble and resolution were adopted.—Whereas in times past, the plans for publishing our minutes have been, in some respects, inefficient. Resolved, That it be a standing rule in this court, that each member of Synod come prepared to state how many copies he will take, paying the amount in advance. Mr. Foster obtained leave of absence.

Adjourned, to meet to-morrow, at 9 o'clock, A. M.

*Same place, 17th Oct. 9 o'clock, A. M.*

Synod met and constituted. All the members present, except Mr. Crozier. Minutes read and amended.

The committee to whom was referred the paper on the

Magistrate's Power *circa sacra* reported in favor of its publication in *overture*. Report accepted and adopted. The publication was committed to the committee, appointed to publish the paper on the Jury Act. Mr. Crozier appeared.

Resolved, That the law, allowing compensation to the Clerk for official services, be and hereby is repealed.

The committee on Foreign correspondence reported draughts of letters to the Irish and Scottish Synods respectively. These letters were accepted, approved, and ordered to be forwarded.

Resolved, That this court express its thanks to the Rev. Dr. Bruce, of the Associate church, and his congregation, for their kindness in granting to Synod the use of their church for holding its sessions, &c.

Resolved, That this court express the satisfaction which was given by the sermon preached at the opening of Synod.

A motion for adjournment was adopted. The minutes were read, and the court adjourned, with prayer and singing the 133d Psalm, to meet as above appointed.

Attest. MOSES RONEY, Clerk.

Pittsburgh, 17th Oct. 1834.

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The following contributions have been made, *agreeably to Synod's direction*, by the congregations named.

## TO THE TRAVELLING FUND.

| | | | |
|---|---|---|---|
| Chambers street, New-York | $29 60 | Craftsbury | $10 50 |
| Sixth street, New-York | 24 28 | Beaver and Camp Run | 10 00 |
| Philadelphia | 22 50 | Baltimore | 10 00 |
| Coldenham | 20 00 | Brush Creek | 10 00 |
| Pittsburgh | 18 78 | Salt Creek | 8 00 |
| New Alexandria | 18 00 | Greenfield | 4 50 |
| Newburgh | 16 50 | Xenia | 2 50 |
| Conococheague | 12 00 | White Lake | 2 18 |
| Monongahela | 12 00 | Miami | 2 00 |

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*To the fund, for support of superannuated Ministers.*

| | | | |
|---|---|---|---|
| Philadelphia | $24 64 | Monongahela | $10 00 |
| Chambers street, N. Y. | 22 03 | Pittsburgh | 10 00 |
| Coldenham | 20 00 | Greenfield | 6 25 |
| Newburgh | 20 00 | | |

# ARGUMENT FOR THE JURY LAW.

[Published as an Overture.]

In the year eighteen hundred and six, presbytery which at that time, was the highest judicatory of the church, passed an act respecting serving on juries. This act presbytery declares to be "absolutely prohibitory." Thus, the members of the Reformed Presbyterian Church in the United States are prohibited from acting as jurors in courts of justice. By this law every member of the community is bound: every member binds himself to obey it, when he assents to the terms of communion prescribed by the church, on his admission to her membership and peculiar privileges.

But, it is not enough to know that such an act has obtained the sanction of our highest ecclesiastical authority; and that every member voluntarily binds himself conscientiously to respect it. The mere existence of a law, is not evidence of its righteousness, even, when enacted by competent authority: the existence of a law is one thing, and its character is another.

On the admitted fact of the jury law, it is still the duty of every member of the church to be fully satisfied in his own mind, that such a law was necessary; and that it was enacted on grounds which gave it an authority over the conscience. Not only, that it has the obligation of being framed by competent authority, it must be warranted by the testimony of the church; and founded on the scriptures of truth. Every man should stand prepared to give satisfactory reasons for the sentiments which he adopts, otherwise it is prejudice, and not truth which influences him. His sentiments may indeed be true, but as far as he is concerned, there is no proof of their truth. To assist the sincere inquirer, the following vindication of the jury law is given by synod.

It may be said, in one word, that the Reformed Presbyterian Church in the United States prohibits her members from serving on juries, because doing so, is immoral. To establish this charge is the object of the present discussion. It is an admitted principle, that a Christian should abstain from all immorality; nay, that he should abstain from the very appearance of evil. If then, immorality can be fixed on the government of the United States, it follows as a matter of course, that it is the duty of a Christian to abstain from every act that recognises, or implies a resignation of its moral character, as the ordinance of God.

Whatever is inconsistent with the scriptures, or, in other words, immoral, is from its nature void and without obligation on the conscience. It is not meant by this, that *any* defect or fault in a civil government would render it invalid and destroy its claims to be the ordinance of God. Perfection is not expected in civil, any more than in ecclesiastical government. In the present imperfect state of man, with all the advantages of a perfect law to direct him, he cannot individually attain perfection; it would be worse than idle, then, to look for it in *any* of the social institutions of man. But, while it is admitted that *every* defect in a civil government will not invalidate its moral character: yet we are far from admitting that *no* defect may destroy its claim to be the ordinance of God. A defect may be of such a kind as to destroy the most distant pretention to this claim: sin consists in *want* of conformity to the law of God, as well as in the *transgression* of it.

There are evils essential to the federal and state constitutions "which render it necessary to refuse allegiance to the whole system," the sinfulness of serving on juries may be argued then, from both the federal and state governments. And the sin involved in either of these views is sufficient to induce the intelligent and conscientious witness of Christ to abstain from serving on juries, or doing any other act that may directly, or by implication, include an acknowledgment of these governments as God's moral ordinance.

The act of presbytery which prohibits serving on juries, is sustained by two distinct considerations of the government of the United States, viewed as one whole system:—the sinfulness of the United States and state constitutions;—and the sinfulness of the laws under which the juror may be called to serve, and to which he is bound to give efficacy, by his decision as a juror.

I. The sinfulness of the United States and state constitutions.

The Constitution of the United States comes first in order. And before the value of this part of the argument can be appreciated, it may be necessary to show that the constitution and government of the United States are properly national. Without entering upon a lengthened proof of this, the statement of the following facts will it is hoped, be considered satisfactory.

1. The federal constitution was framed in the name of the *people* of the different states. In this respect, it differs from the articles of confederation, which were originally entered into amongst the *states*. "We, the people of the United States, in order to form a more perfect union, establish justice, insure domestic tranquillity, provide for the common defence, promote the general welfare, and secure the blessings of liberty, do ordain and establish this constitution for the United States of America. The people by their representatives, assembled in convention, did "ordain and establish this constitution." Being established by the *people* of the United States, it is not a confederation of sovereign nations, but a national government.

2. The federal government does not operate on *states as such*, but on the people individually. It is upon the people, and not on the state governments, that the constitution and laws of the federal government

take effect. Mr. Hamilton, in his commentary and vindication of this part to the federal government says, "It must carry its agency to the persons of the citizens. It must stand in need of no intermediate legislations; but must itself be empowered to employ the arm of the ordinary magistrate to execute its own resolutions. The majesty of the national authority must be manifested through the medium of the courts of justice. The government of the Union, like that of each state, must be able to address itself immediately to the hopes and fears of individuals."* The fact that the federal government operates on the people individually, is evidence that it is a national government.

3. The federal constitution, the laws of the United States, and treaties made by the United States, are the supreme law of the land. "This constitution, and the laws of the United States, which shall be made in pursuance thereof, and all treaties made, or which shall be made under the authority of the United States, shall be the supreme law of the land; and the judges in every state shall be bound thereby, any thing in the constitution or laws of any state to the contrary notwithstanding."† This furnishes us with another proof, that the government of the United States possesses a national character. The residuary power, which is reserved to the state governments, and allowed by the federal constitution, does not in the least interfere, nor is in any way inconsistent with the national character of the latter. If it did interfere with this, then the reserved rights of individual citizens, which are as clearly preserved by the federal and state constitutions as that of the residuary sovereignty of the states themselves, would be an unanswerable argument against this residuary sovereignty of the states. "The powers not delegated to the United States by the constitution, nor prohibited by it to the states, are reserved to the states respectively, or to the people."‡ Did we adopt the opinion, that the federal is not a national government, because the state governments have certain residuary powers; then, also, we must admit that the state governments are not national governments, because the people have reserved certain rights, which they have not delegated to either. And thus we would be forced to admit the absurdity, that there is no national goverment, whatever, in the United States. A view of the subject, which would lead us to such a conclusion, is not worthy of being further exposed.

It will now be admitted, that the federal government is national; and that an ackdowledgement of it, involves an acknowledgment of its moral character, whether righteous or impious. Nor is this remark to be understood as an admission, that there would be nothing sinful in acknowledging the Constitution of the United States, if it did not possess a national character. We disclaim such a conclusion. If the Constitution of the United States contains immoral principles, the acknowledgment of these is sinful, and utterly at variance with the duty and obligations of a witness of Jesus, whatever may be its peculiar politi-

* Federalist, No. 16. See also, No. 15.
† Constitution of the United States, art. 6, sec. 2.
‡ Amendments to the Constitution, art. 10.

cal character. And an attempt to cover sin, or even to apologize for it on the ground of any such nice political distinction, is unworthy of a Christian, and merits unqualified reprobation. Whatever may be the nature of an association, if it includes immorality in its constitution, it comes under the command, "Say ye not the confederacy to all them to whom this people shall say a confederacy."

The federal government possesses the attributes of a national government; the moral character of it is, therefore, to be tried as such. Before we proceed to examine the moral character of the Constitution of the United States, it will be necessary first to identify the juror with the federal government, when he performs the duties of his office. Two things must be established to give validity to our argument. It must first be shown that the juror, by acting in this capacity, actually identifies himself with the federal government; and secondly, that the federal constitution is immoral. If either of these is incapable of proof, then, this part of the argument fails as a defence of the jury act. Though it might be proved that the constitution was immoral, if it could not be proved also that the juror acted under its authority, then the sinfulness of the constitution could not be charged upon him. On the other hand, though it could be proved that the juror acted under the authority of the constitution, if the constitution could not be convicted of immorality, then there would be no sin in serving as a juror.

That the juror identifies himself with the federal government appears,

1. From the consideration that he acts as a citizen of the United States. No individual is, or can be a citizen of any one state without being at the same time a citizen of the United States. "The citizens of each state shall be entitled to all privileges and immunities of citizens in the several states."*

2. The juror is a judiciary officer. The jury is an essential and indispensable part of the court in which the juror acts. In all cases where the law has prescribed trial by jury, judgment cannot be obtained without the judicial services of the juror. The jury are sole judges of all matters of fact that come before the court in which they serve; and in many cases too, they are called to determine the law as well as the fact.

3. The juror acts under the authority of the federal constitution.—"The senators and representatives before mentioned, and the members of the state legislatures, and all executive and judicial officers, both of the United States and of the several states, shall be bound by an oath or affirmation to support this constitution."† As far as the strength of our argument is concerned it is not of any importance whether the juror in *every*, or in *any* case swear or affirm that he will support the Constitution of the United States. According to the spirit of this article, his acting as a juror implicitly recognises the constitution. The juror is, for the time being, a judicial officer, and the article which has been

* Constitution, art. 4. sec. 2. † Constitution, art. 6. sec. 3.

already quoted from the federal constitution binds every officer, whether legislative, judicial, or executive, to support the federal constitution.

The relation of the juror to the United States government has now been ascertained; so that if it embraces or practices immorality, this may be fairly charged on the juror as voluntarily acting under an immoral constitution of government.

We proceed now to establish the charge of immorality against the Constitution of the United States.

1. It does not acknowledge or make any reference to the existence or providence of the Supreme Being. The nation, as such, has no God. This is an essential evil in the constitution, which involves the hideous charge of national atheism! "The general government is erected for the general good of the United States, and especially for the management of their foreign concerns: but no association of men for moral purposes can be justified in an entire neglect of the Sovereign of the World. No consideration will justify the framers of the federal constitution, and the administration of the government, in withholding a recognition of the Lord and his anointed from the grand charter of the nation."*

2. The United States Constitution, does not recognise the revealed will of God. All moral government flows from God the Sovereign of the Universe, and must be regulated by his will, otherwise it cannot bind the conscience. In the original state of man, the moral law, which was written on his heart, included in it the will of God relative to this as well as all other moral duties. To meet the exigency of man's fallen condition, God has given a new revelation of his will, in the scriptures of the Old and New Testaments. All who enjoy this new, and *now* more perfect revelation of the will of God, are bound to regulate their civil and political relations by it, as well as those that immediately relate to the worship of God. To proceed on the ground that man may dispense with the instruction of scripture in the constitution and management of civil government, is unquestionably to set aside the authority of God when He speaks to us in the holy scriptures. The universal depravity of human nature unfits men for performing either the personal or social duties of life, in a manner agreeable to the will of God. The scriptures contain instructions how all these duties are to be performed. "To the law and to the testimony" we are commanded to look. And on no moral principle whatever can it be admitted, that men may form their constitutions of civil government according to the mere light of nature, when the author of nature has given another and a more perfect rule by which they may be framed. The authority which binds men to the light of nature, as far as it is applicable, binds them also to the scriptures, as the subsequent and more complete revelation of the will of God. "Revelation contains the true standard of civil government. It prescribes the supreme criterion according to which those states which have obtained this superior light should act in forming their constitu-

* Scriptural View, &c., by Alexander McLeod, D. D.

tions, choosing their officers, and determining their leading objects."* In the Constitution of the United States, however, there is not the most distant allusion to the revealed will of God. The Bible, as containing the fundamental principles of political morality, is not even indirectly acknowledged. Here then is an evident violation of a moral duty.—Men are bound, as has been proved by the preceding observations, to make the Bible the basis of their political constitutions; but the United States of America have entirely excluded it from the charter which binds them together as a nation.

3. The Constitution of the United States acknowledges no subjection to the Lord Jesus Christ. A moral right to exercise universal dominion has been given to Him as the Mediator, by God the Father, "He hath put all things under his feet, and set him far above all principality, and power, and might, and dominion, and every name that is named, not only in this world, but also in that which is to come."† In the whole universe of created existence there is not a solitary exception to the mediatorial rule of Christ. He has moral authority given to him over all things for the sake of the Church, which is his body. Every intelligent being is bound to obey the Redeemer, and submit to his authority. Civil society, and all communities, are in their congregated character equally bound with individuals to honor Him. On their part it is not a matter of choice—"nations and their rulers are placed in a state of subjection to the Lord Jesus Christ, the Prince of the kings of the earth, and are bound to acknowledge his mediatorial authority, and submit to his law; framing their laws, appointing their officers, and regulating their obedience in subserviency to the interests of his kingdom."‡ The revealed commands of God bind them to give obedience to the Lord Jesus Christ in all their social relations. "Be wise now, therefore, O ye kings; be instructed ye judges of the earth. Serve the Lord with fear, and rejoice with trembling. Kiss the son lest he be angry, and ye perish from the way when his wrath is kindled but a little."§ The claim which the Mediator has to the homage of nations is held forth by his mediatorial exaltation and dignity. "He hath on his vesture and on his thigh a name written, King of kings, and Lord of lords."‖ The constitution and government which have no respect to the Mediator and his authority, as "Prince of the kings of the earth," are in a state of rebellion and opposition against "the Lord and his Anointed." They are destitute of an important moral feature, that justly exposes them to the charge of impiety. The Constitution of the United States is chargeable with this impiety. It makes no mention of the Lord Jesus Christ, nor his right of rule, over the nations. It contemns the commands of God that enjoin obedience to his authority, and as far as moral principle is concerned, the language of the Constitution respecting "the Lord and his Anointed" is, "Let us break their bands asunder, and cast away their cords from us.¶"

* Application of Scriptural Principles to Political Government, by the Rev. Peter Macindoe, A. M.

† Eph. i. 22, 20, 21.

‡ Summary of the Principles and Testimony of the Reformed Presbyterian Church in Scotland, p. 55.

§ Ps. ii. 10, 11, 12. ‖ Rev. xix. 16. ¶ Ps. ii. 3.

There are principles essential to the moral character of a civil constitution and government, destitute of which, no government can be the ordinance of God. Of three of these essential and radical principles of the ordinance of God, the Constitution of the United States is destitute. That a government may furnish an exemplification of magistracy agreeable to the will of God, from whom this ordinance flows, the constitution of government must explicitly avow and acknowledge the existence, providence and authority of God. It must be framed according to the revealed will of God: and it must include a professed subjection of the government to the Lord Jesus Christ the Mediator. The Constitution of the United States is destitute of all these three essential characteristics of God's moral ordinance of government. It has no regard to the mediatorial reign of the Lord Jesus Christ; and is therefore chargeable with rebellion against Him. It rejects the revealed will of God; and is therefore infidel. It does not acknowledge the existence of the Supreme Being; and is thus godless.

Besides these essential defects, the Constitution of the United States contains also positive immoral principles.

1. By it unoffending men are held in perpetual slavery. It declares, that "the migration or importation of such persons as any of the states now existing shall think proper to admit, shall not be prohibited by the congress prior to the year one thousand eight hundred and eight."* On the ground of this immoral enactment, the shameful traffic in human beings was carried on for twenty years! Thus, as far as human authority could legalize it, the infamous trade of stealing, selling, and buying fellow-men, with all the evils connected with, and arising from slavery, were made lawful by a provision of the constitution. And, although the further importation of slaves was prohibited by congress at the close of the period stated in the constitution, yet *slavery* was not, and is not abolished: it reigns with all its horrors, not only in many of the states existing at the time of the framing of the constitution, but, also in some of those that have been erected since that time. The constitution is thus blotted and defaced, by giving a constitutional sanction to one of the most profligate and immoral practices that can possibly dishonor a civilized nation. By this article of the constitution, the hands of the legislature, had they been disposed, were tied up from doing any thing to stop the importation of slaves for twenty years! And then, they were not bound by the constitution to put an end to it; they were only at liberty to do so, if they thought it expedient! By an act of congress, however, the further importation of slaves is forbidden, but as far as the constitution is concerned, the trade may again be resumed, if congress deem it advisable. The constitution sanctions the principle of slavery!

2. The Constitution of the United States violates the principles of justice, by giving to the citizens of slave-holding states an influence in the national legislature proportioned to the number of their slaves! This charge of immorality refers to what has been called the three fifths

* Constitution, art. 1, sec. 9.

principle, which is included in a specific provision of the constitution. "Representatives and direct taxes shall be apportioned among the several states, which may be included within this Union, according to their respective numbers, which shall be determined by adding to the whole number of free persons, including those bound to service for a term of years, and excluding Indians not taxed three fifths of all other persons."* By this, the number of representatives which a state may be entitled to send to congress, will, in the case of slave-holding states, be increased in proportion to the number of slaves within the state. Every five slaves will increase the proportion of representation equal to an addition of three free persons. Had the slave been merely degraded to the condition of being three fifths of a man, this would have been bad enough; but it is far worse thus to degrade him, and then throw the calculated reversion of his humanity, politically into the hands of the tyrant who holds him in slavery!

To illustrate this, take two states; the one a slave-holding, the other a non-slaveholding state. These may be supposed equal as to the number of free citizens which they respectively contain; but the former has within it two hundred and fifty two thousand slaves, which, according to the three fifths principle, entitle it to four more representatives in congress than the latter. The political privileges of electing representatives and of making laws for the nation, are thus increased in proportion as the citizens of a state act unjustly, by holding in bondage their fellow men; and thus crime is rewarded.

Nor is this all the evil involved in this part of the constitution; it takes for granted also the propriety of slavery, and constitutionally recognises it as just and right!

3. The Constitution of the United States contains the infidel and anti-Christian principle, that a nation as such ought not to support, nor even recognise the religion of the Lord Jesus Christ. "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof.†

It is unquestionably the duty of nations to make public provision for the maintenance of the worship of the true God as He has made himself known in the scriptures, whenever these scriptures are enjoyed. Apart from this, we cannot attach any satisfactory meaning to such prophetical parts of scripture, as declares that kings shall be nursing fathers, and queens shall be nursing mothers to the church. Apart from this, we cannot comprehend how the kings and judges of the earth shall render that homage unto the Son of God, which they are commanded to yield—"Kiss ye the Son." "Yea, all kings shall fall down before Him—all nations shall serve Him."

Whatever difficulty there may be in making a national provision for the support of religion, and it is admitted to be a very delicate task: yet, to lay it down as a fundamental principle in the coustitution, that no establishment of religion shall be made, is irreconcilable with the obligation, which every nation, enjoying the light of Christianity, owes to the Lord Jesus Christ, the Prince of the kings of the earth.

* Constitution, art. 1, sec. 2. †Amendments to the Constitution, art. 1.

Nor is the tolerating clause in the concluding part of this reprehensible article of the constitution blameless. With unconcern, the nation determine to do nothing in behalf of the religion of the Lord Jesus Christ; but it determines also, not to prohibit the grossest superstitions and idolatries, but suffer them to exist under cover of the sacred name of religion. The toleration included in this, is not only a guarantee to the worship of the Christian religion, under the name and pretext of which the basest superstitions and errors have been brought forward; but *any* and *every* kind of religious service is included. The general term religion, without any reference to Christianity, is employed, and furnishes a security to the Jew, the Mahometan and the Pagan, equal to that of the worshipper of the living and true God.*

"That magistrates should use their power for promoting the worship of God in their dominions by all the legitimate measures they can employ, seems to be one of the first dectates of morality. The obligation to do this, results from the moral relation in which they stand to him, —from the moral principles with which they have been endowed, and from the moral purposes, for which they have been intrusted with the civil office they fill. That they should fill such an office over communities of rational beings, without providing for the due support of his worship, which deserves the precedency of all other objects that fall within their jurisdiction, is surely an outrage on morality, as well as an insult to religion."† Such an outrage and insult are offered by the constitution and government of the United States against morality and religion. Against such conduct, the testimony of the church declares that it is the duty of the Christian magistrate to take order, that open blasphemy and idolatry, licentiousness and immorality be suppressed, and that the church of Christ be supported throughout the commonwealth."‡

We proceed next to consider the state constitutions; and here the charge of immorality is as fairly applicable as in the case of the United States' Constitution.

1. In the state constitutions, magistratical authority is ultimately referred to the will of the people, irrespective of divine institution; nor does this appear to be simply an oversight, but a deliberate expression of opinion, that civil government flows from the will of the people. This is a radical evil that pervades every individual state constitution without exception: and an evil, too, of incomparably greater magnitude than may be imagined upon a mere superficial view of the subject. To show the nature and magnitude of the evil, we introduce, in this place, two passages; one from the Constitution of Pennsylvania, and the other from that of Ohio. "All power is inherent in the people, and all free governments are founded in their authority, and instituted

* Expositions given by the highest authority, correspond with what has been said above. "The government of the United States, is not in any sense founded on the Christian religion. It has in itself no character of enmity against the laws or religion of Mussulmen." Tripolitan Treaty, as quoted by Dr McLeod, in his Scriptural View.

† Application of Scriptural Principles, by the Rev. Peter Macindoe, A. M. p. 279.

‡ Reformation Principles, p. 106.

for their peace, safety and happiness. For the advancement of these ends, they have at all times an indefeasible right to alter, reform, or abolish their government, in such manner as they may think proper."* All men are born equally free, and every free republican government, being founded in their sole authority, and organized for the purpose of protecting their liberties and securing their independence; to effect these ends, they have at all times a complete power to alter, reform, or abolish their government, whenever they may deem it necessary."†

Governments thus founded on the "sole authority" of power "inherent in the people," irrespective of the will of God, and in opposition to the plainest statements of scripture, which declares that there is no magistratical "power but of God;" and that "the powers that be are ordained of God" may, indeed, be the ordinance of men, but are not in any wise the "ordinance of God." "They have set up kings, but not by me—they have made princes, and I knew it not," is, perhaps, the best description that can be given of such governments.‡

Very different is the view given in our subordinate standards. "God the supreme Lord and King of all the world, hath ordained civil magistrates to be under him over the people, for his own glory and the public good, and to this end he hath armed them with the power of the sword, for the defence and encouragement of them that are good, and for the punishment of evil doers."§ "The primary origin of political government is the will of God." He "has elevated civil government to a place among divine institutions, by recognising its existence, defining its objects, and prescribing its general principles."‖ This is the ground upon which the conscience of an enlightened Christian feels the obligation to obedience. Whatever may be the political character of a government—however prudent may be its adaptations to the state of society—whatever provisions it may make for the political rights of men, if it has no regard to the authority of God as the origin of government, it has no claim upon the conscientious obedience of the Christian. That cannot be the ordinance of God which make no acknowledgment of him, either as having instituted it, or given rules by which it is to be regulated; but which, on the contrary, bases the institutions of government on the will of man.

2. The state constitutions do not acknowledge the Bible as the supreme standard of government. While they found civil government on the "sole authority" and "inherent power of the people," and bring it down from the rank of being a divine institution, they exclude also, the Bible as the standard of rule. They do not acknowledge it in their civil relations; but, on the contrary, bind themselves to the federal constitution and laws of the United States as the supreme law of the land. We are disposed to interpret this as favorably as possible, and admit that the supremacy of the United States' Constitution and laws, has relation

* Constitution of Pennsylvania, art. 9. sec. 2.
† Ohio, art. 9. sec. 1.
‡ Hosea, viii. 4.
§ Westminster Confession of Faith, chap. 23.
‖ Macindoe's Scriptural Principles, p. 111 and 118.

to the constitution and laws of the different states. That the former are supreme, and the latter are subordinate to them.

But when all reference to the Bible is carefully excluded from the United States and the state constitutions—when not even an allusion is made to the Bible as the standard of civil government, by which all its arrangements ought to be directed, we cannot conceal from ourselves the painful conclusion, which must be drawn from this expression, "supreme law of the land,"—it does and must signify "supreme" to the utter exclusion of the revealed will of God in the Bible.

3. There is no acknowledgment of the Lord Jesus Christ, the Prince of the kings of the earth, in any of the state constitutions. There is no expression of that homage, which the nations owe to the Mediator, and which they are commanded to render him, lest they be broken in pieces, when his wrath is kindled but a little.*

4. According to the state constitutions, infidels are qualified to hold office and bear rule.

In none of the states are infidels excluded from office, with the exception of Massachusetts, in which, the governor, lieutenant governor, and the members of both branches of the legislature, are required by their oath of office to declare their belief in the Christian religion. But when it is recollected, that the avowed Socinian, with only the name of Christian, without any of its peculiar distinguishing characteristics, is admitted to be a Christian, and can be qualified to hold the highest offices in the commonwealth, Massachusetts will scarcely be deemed an exception.†

In the constitution of the other states there is no restriction in the oaths of office; and in practice, the declared infidel and open enemy of the gospel has as unreserved an access to office, as the sincere and enlightened believer in the truth and doctrines of the Christian religion. In the Constitution of Pennsylvania, this infidel principle is not only expressed, but expressed in the most offensive manner, "No person who acknowledges the being of a God and a future state of rewards and punishments, shall, on account of his religious sentiments, be disqualified to hold any office, or place of trust or profit, under this Commonwealth." This is decreeing iniquity by a law. Where the light of the gospel is enjoyed, "States are bound to select for their rulers only men who possess the several qualifications prescribed in the volume of Revelation. They are not left to their own discretion, their own judgment, or their own inclinations in this matter. They are not referred to the provisions of their own charter, which may be defective, or to the practice of other countries, which have received no better guide than the light of human reason. But, they are required to look into their Bible, the ultimate criterion,—to observe what qualifications it demands, in

* For a more enlarged view of this evil, the reader may look at what is said in illustration of a similar remark, respecting the United States' Constitution in the preceding part of the argument, p. 6.

† To this, perhaps, North Carolina ought to be added. In this state a denial of the truth of the Old or New Testaments, or of the Protestant religion, is a disqualification for office in the civil department. The value of this will, however, be best known by the common practice.

rulers worthy to preside over Christian countries, and to fix only upon those candidates in whom a considerable portion of these qualifications is found to exist."* The Reformed Presbyterian Church declares it to be an error, "That infidel, heretical, or immoral persons may be lawful civil magistrates in a land enjoying the Bible," and against it they have lifted a testimony.† In the scriptures, the following description is given of magistrates, "able men, such as fear God, men of truth, hating covetousness;" and such only nations are commanded to choose as their magistrates.‡ Constitutions of government that set aside these dictates of moral duty and Christian obligation, are certainly far from possessing the character of being "the ordinance of God, for good to man." It contains immorality against which we are bound to testify.

5. The State Constitutions guarantee a right to every citizen to worship God according to the dictates of conscience. They declare too, that they will not prohibit any form of worship that does not interfere with the public peace. No power on earth has a right to guarantee the former; and the latter is an expression of latitudinarianism unworthy of a people privileged with the light of the gospel of Jesus Christ. The following passages from the Constitutions of Pennsylvania and New-York afford a fair specimen of the state constitutions generally, "That all men have a natural and indefeasible right to worship Almighty God according to the dictates of their own consciences." "The free exercise and enjoyment of religious profession and worship, without discrimination and preference, shall for ever be allowed in this state, to all mankind."

We hold as a first principle on this subject, that no government has a right to interfere with the consciences of its citizens, and compel them to the belief and profession of particular opinions on the different subjects of Christian inquiry. This would be exercising a power which God has not committed to the civil magistrate; and for the exercise of which he is not competent: God alone is Lord of the conscience. The magistrate, nevertheless, "hath authority, and it is his duty to take order, that all blasphemies and heresies be suppressed."§ He "may not enforce the profession of religion by the sword—nor assume any manner of power or authority in the church of Christ. But it is his duty to see that the violation of the moral law on the open contempt of the being of God—in gross and public idolatry—in open blasphemy of the name of God—or in open profanation of the Sabbath—as well as in open injustice, licentiousness and immorality, be duly restrained."‖ The magistrate, without constituting himself a judge of Christian doctrines, or in the least infringing on the conscientious scruples of a sincere profession of the Christian truth, or injuring the civil and religious rights of citizens, may "take order" that one part of the law of God be applied as well as another. We cannot comprehend, why the magistrate should be allowed to restrain men from violating the second table of the

* Macindoe's Application of Scriptural Principles, p. 314.
† Summary of Principles and Testimony, &c. p. 59.
‡ Exod. xviii. 21.
§ Westminster Confession of Faith, chap. xxiii. 3.
‖ Summary of the Principles and Testimony, &c. p. 55.

decalogue; and that it should be considered an outrage upon conscience and the liberties of men, that they be restrained as it respects the first table of the decalogue: the moral power which the magistrate possesses to enforce obedience to the former, gives him a right to enforce obedience to the latter. If his power of restraint in the one be invalidated, it will be impossible to defend him in the possession of the other. Holding, as we do, that "all power is of God," we hold also, that the civil magistrate is bound by the law of God to maintain its integrity by punishing all known violations of it, as it respects the first, as well as the second table. Any attempt to disjoin the precepts of the decalogue on the part of civil magistrates, so as to assume a power of punishing the violation of some precepts, to the exclusion of others, is arbitrary. The revealed will of God, which gives to the magistrate all the moral power which he possesses, makes no such distinction. "He is the minister of God, to thee for good. But, if thou do that which is evil, be afraid; for he beareth not the sword in vain; for he is the minister of God, a revenger to execute wrath upon him that doeth evil."*

A constitution of government, which declares that every man has a right to worship God according to the dictates of his own conscience, irrespective of the scriptures of truth, gives a constitutional sanction to an immoral principle, and places itself in opposition to the authority of God, which obliges all men to submit to the "law and to the testimonies." It attempts to confer a right, which God has not given to magistrates to exercise, and which cannot be conferred on man; and which, to speak with reverence, God himself cannot exercise. The conscience of man is depraved; the moral perfections of Jehovah therefore, forbid that He should give him license to act according to the dictates of conscience as it relates to his own worship. On the subject of religion, God has given a clear and extensive revelation to man, by this, and not according to the dictates of his conscience and understanding is God to be worshipped. For a costitution to guarantee a right to worship God according to the dictates of conscience, is indirectly to authorize whatever impieties the carnal and deceitful heart of man may devise, under the name of religion! Magistrates may neither, on the one hand, force their own religious opinions upon citizens, nor, on the other, authoritatively tolerate any thing that is declaredly in opposition to the word of God. It is one thing to punish a man because of his opinions; and it is another thing to restrain him from publishing opinions, which may be both dishonoring to God and injurious to society; the former would be persecution, the latter an administration of justice; the former a magistrate may not do, the latter he is bound to do as the minister of God, for good to man. Although a magistrate must not invade the sanctuary of conscience and private opinion; yet, on no account is he warranted to tolerate the least falsehood of sentiment by declaring constitutionally that every man has a right to hold whatever religious opinions he pleases. The declaration of such a principle is immoral and irreligious!

* Romans xiii. 4.

We have in the preceding pages given a brief, but we hope, at the same time, a convincing view of that part of the argument, which arises from the immorality of the United States and state constitutions. The former has been demonstrated to be a proper national government, and ought, therefore, to possess the moral features of such. If it is defective in its moral provisions; if it contains positive immoral principles, and both of these we presume have been proved, it necessarily follows that it is an immoral constitution of government. It has likewise been shown, that the juror recognises the United States' Constitution, and morally identifies himself with it, by serving on a jury; the conclusion, then, is unavoidable,—the immoralities, which belong to it, are chargeable on the juror. "They, who consent unto the unrighteous deeds of others, are chargeable with guilt as well as the principal actors. This is a principle held sacred, in all well regulated courts of judgment amongst men."* On this principal, whoever acknowledges, although indirectly a constitution of government gives his approbation to it, whether it may be good or evil.

That the state constitutions are defective in great moral principles, and also contain immoral provisions, has been demonstrated. Nor is it controverted, that a juror identifies himself with the constitution of the particular state in which he acts. The immorality of the constitution of the particular state is thus chargeable on the juror, as well as the immorality of the United States' Constitution. Not only does the juror recognise these, he virtually recognises the whole system of government of the United States and the different states, considered as one whole. This is the view which is generally, we might say, universally adopted with the exception of the advocates of southern nullification.—"Agreeably to the remark already made, the national and state systems are to be regarded as one whole. The court of the latter will be natural auxiliaries to the execution of the laws of the Union, and an appeal from them, will as naturally be to that tribunal, which is destined to unite and assimilate the principles of national justice, and the rules of national decision."† Such is the opinion of Mr. Hamilton, whose judgment on this subject all must respect. The United States and states' constitutions, are one whole, so that whoever recognises one part virtually recognises every part of the system at the same time. It is, therefore, "necessary to refuse allegiance to the whole system."

II. The sinfulness of the laws, under which the juror may be called to serve, and to which he is bound to give efficacy, by his decision as a juror.

The laws, under which the juror acts, are in many instances immoral. Let it be understood, at the same time, that perfection is not expected in human laws; yet with this admission, it is maintained that no man can execute, or aid in executing an immoral law, without being chargeable with sin.

To enter upon an extensive examination of this part of the subject is

* Truth no Enemy to Peace, by the Rev. John Reid, proposition 6th.
† Federalist, No. 82.

impracticable; nor is it at all necessary for the illustration of the principle on which the jury law was enacted. While the church, when she passed the jury law, might have a reference to the particular laws of the United States and state governments, she had especially in view the general principles of law on which the juror in the United States may be called to act.

An intelligent and conscientious Christian, who understands that he is bound by the word of God; and that he ought to be directed by it in all things civil as well as religious, will not assent to the unqualified statement of principle that the constitution and laws of the United States founded thereon, are the supreme law of the land, and the reason is, because the constitution does not acknowledge the being, providence, nor word of God; and because it recognises and admits several immoral principles. But if the Christian feels it to be inconsistent with his obligations to the Lord Jesus Christ, to *admit the principle* that an immoral constitution and the laws founded thereon, should be recognised as the *supreme* law of the land, he ought to feel it still more inconsistentwith his obligations to *act on the principle*, which every juror does, by the very fact of his serving on a jury. By his oath the juror binds himself to give judgment according to the law: and that law embraces the laws of the particular state in which the juror acts, and the laws and Constitution of the United States, with all treaties, which may be entered into by the United States; and these last are the supreme law of the land. Thus the juror submits himself to be directed by that, which has already been proved to be immoral. There is thus as complete a recognition of the United States' Constitution, as could be involved by the most formal avowal of its principles, or even, as by an oath of allegiance! To act officially under the direction of an immoral law, as the juror does, by the very act of serving on a jury is beyond doubt, sinful.

On the general ground then, that the constitution and laws of the United States, and all treaties made, or which shall be made by the United States form the supreme law, by which the juror is directed, is itself a sufficient reason why a Christian, who believes that he ought not to bind himself by an immoral law, nor officially act under its direction, should refuse to serve as a juror. Is it immoral to exclude all reference to the Governor of the Universe in a constitution of civil government? Is it immoral to exclude all reference to the revealed word of God as the supreme rule of action in civil government? Is it immoral to refuse allegiance to the Lord Jesus Christ in a constitution of civil government? Is it immoral to hold unoffending men in slavery? Is it immoral to violate the principles of justice, by giving to slave-holding states an influence in the national legislature in proportion to the number of unoffending fellow-creatures they may hold in bondage? In fine, is it immoral to refuse to give a national sanction and support to the religion of the Lord Jesus Christ? Then is it sinful to serve as a juror in the United States, because all these immoralities are embraced in the constitution, which is part of the supreme law by which the juror is solemnly bound to give his determination.

The sinfulness of the laws under which the juror acts we shall now exemplify, by reference to particular cases.

In a very considerable number of states slavery is allowed and practised to an enormous extent. In these states the law authorizes citizens to buy and sell, and in many respects to hold as mere property human beings! And in some states, possession of a certain number of slaves is an indispensable qualification for being a representative in the legislature.* In such states a juror must often have occasion to act in cases connected with this iniquitous practice; in these cases no juror can act without giving his practical approbation to slavery. In the application of civil and criminal jurisprudence unnumbered questions of litigation in a great variety of forms must occur; and necessarily call for the award of a jury—as it respects the sale, the purchase, and treatment of slaves. In every such case, the juror, whatever may be his private judgment must act, and give his decision, as it slavery were perfectly lawful and moral! For example:—In a case where the payment of a debt is disputed, it appears by evidence with which the jury is furnished, that payment has been made either in whole, or in part, by slave property; according to the existing state of things under which they act, the jury are bound by their oaths to admit such payment as legal. Say, in such a case does not the juror acknowledge the practice of slavery as just, and give it all the advantage and support of his official authority? Not even the cunning of jesuitism can evade this conclusion!

Nor, is the sinfulness of the law in this respect confined to slave-holding, it may be equally exemplified in those that are called free states. In the latter, a juror may be called to give judgment in cases in which the sinful practice of slavery must be acknowledged, as well as in the former. Instances of this kind occur not unfrequently. Suppose for example, the sale and purchase of a lot of slaves, within the bounds of a slave-holding state; this in such a state is a lawful transaction. But in the final adjustment of accounts between the parties thus selling and buying, the transaction is litigated in a free state, in consequence of the residence of the defendant being in the latter. The case comes before a jury; and here the juror, though in a free state, must give his sanction to the sin of slavery, by acknowledging the legality of the transaction. For although the sale of slave property is not legal in the state where the trial takes place; yet its legality must be sustained, on the ground that it was a legal transaction in the state where the sale was made. This is determined by the supreme law of the nation. "Full faith and credit shall be given in each state to the public acts, records and judicial proceedings of every other state."† And one of the public acts in many of the states, is the legalization of slavery!

We are aware that some men, who would not dare to vindicate the abominable traffic in human beings; and who admit that to serve on a jury

* See the Constitution of South Carolina.
† United States' Constitution, art. 4. sec. 1.

in such a case, as that which has now been supposed, would be an encouragement of the sin of slave dealing; yet find an excuse for objecting to the jury law, as an unnecessary and uncalled for restriction on the members of the Reformed Presbyterian Church, on the ground that in all such instances the juror may avoid serving, by stating to the court that he has prejudged the case. We deem it necessary to glance in passing at this practical argument against the jury law, not because of its strength, but because of its plausibility. It is well adopted to impose on a man, and lull his conscience to sleep, when he is more anxious to find an apology for his sinful practices, than to forsake them: but as an argument against the present law and usage of the church, it is in the last degree frivolous and unavailing. It will be recollected, that it has already been demonstrated, that the very act of serving on a jury *whatever* may be the *case of trial*, involves the recognition of an immoral system, and is, therefore, inconsistent with the obligations of a witness of Christ. The objection referred to, entirely loses sight of this essentially important part of the question. But even, on the view of the objector himself, it will be found that his argument is worthless, as an objection against the necessity of the jury law. The propriety of this remark becomes evident.

1. When it is considered that the objection tacitly admits that there is something morally wrong in the constitution and laws, under which the juror is called to act. Were there nothing wrong, there would be no need to avoid serving on a jury, in any particular case.

2. The juror does not know when he is sworn what facts may come before him, nor upon what facts he may be called to give his decision. By the testimony offered, very unexpected facts may be brought out, and on these may depend the whole determination of the juror's mind; but these he does not know till after he has been sworn to try the case, and the trial has made progress. In such a case, the juror has not an opportunity of avoiding to serve; he has involved himself in a moral difficulty, before he is aware that a difficulty exists.

3. The principle of the argument is false. An individual objects to the necessity of the jury law because he may avoid serving in certain given cases, by declaring that he has prejudged the case. The declaration however is not true; he *has not prejudged* the case. It is possible he may have judged the law, but the case he has not judged, nor can he judge the latter, till the evidence is laid before him. The objection is founded on a very palpable mistake; namely, the confounding of the laws on the subject of slavery, and the fact of being a slave. As it respects the former, the opinion of the juror is not asked; nor in the case is it of any value what opinion the juror may have; it is only as it respects the latter, that he is called to give his award. The only thing for the juror to ascertain, is the fact of such a transaction satisfactorily proved? And he must give his determination accordingly!

Having removed this plausible objection, we resume the exemplification of the sinfulness of the laws, under which the juror may be called to act: another instance of which, may be found in the practice of

public and private lotteries. Although this species of gambling is prohibited in some of the states, it is legalized in others. But in the former as well as in the latter, lottery transactions may come before a jury. For example, in New-York or Pennsylvania, where lotteries are nominally abolished, and declared to be illegal, litigated cases arising out of the sale of lottery tickets, which has been made in other states, may be judicially investigated. It may be proved by evidence before a court that a disputed debt has been settled by the transference of lottery tickets; and this a jury would be bound to admit as a fair business transaction, because it was legal in the state where the sale took place. And thus, a juror would give his sanction to the abuse of God's ordinance of the lot, as well as to a system of gambling, which in some states has been declared to be a public nuisance!

We shall offer only one other example, of the sinfulness of the law under which a juror may be called to act. We refer to a particular aspect of the evil of slavery. Although slavery has been abolished in some states, yet according to the United States' Constitution, in these the principle must be acknowledged "no person held to service or labor in one state under the laws thereof, escaping into another, shall in consequence of any law or regulation therein be discharged from such service or labor; but shall be delivered up on claim of the party to whom such service or labor is due."* In virtue of this article, of the national constitution slaves who have left their owners and taken refuge in any of the free states are seized and dragged back to bondage. The judiciary and executive officers in free states are bound to give all aid, and official assistance for the recovery of absconding slaves.

A sheriff or constable refusing to apprehend a runaway slave, upon application being made to him for this purpose,—or a magistrate refusing to grant a warrant of removal on evidence being given of his former servitude,—or a person employing a runaway slave knowing him to be such, is liable to a prosecution. In all these cases the law has determined certain penalties. Suppose any of these cases occurring and brought before a court, a juror must be destitute of the feelings of humanity if his judgment and conscience did not approve of the conduct supposed, and yet by his oath he is bound to give judgment against the party, the *fact* being proved.

The charge of sinfulness has now been proved both against the constitutions under which the juror acts; and the law by which he is directed. The propriety of the jury law will then it is presumed be admitted. Here we might leave the argument to produce conviction on the mind of every candid reader; but, there is a practical view of the subject which merits especial attention before we conclude the discussion. This, though no other reason existed against serving on juries, should have sufficient weight to hinder a disciple of the Lord Jesus Christ from acting as a juror in the United States. If a Christian serves on a jury, he must often act with unprincipled and immoral men. And in no case does he know the principles and moral character of his fellow jurors, till these are discovered in *their* judicial intercourse.

* United States' Constitution, art 4. sec. 3.

With infidels, Jews, and others equally unprincipled, he may be called to act, and that under the solemnity of an oath. Thus, he will be associated with men, with whom we are persuaded no Christian ought to have any voluntary association for moral purposes. In point of principle it is wrong, for a disciple of Christ thus morally to connect himself with irreligious men. Such an association will also, in practice be found hurtful to the feelings and experience of a Christian. Frequent intercourse and exchange of sentiments on very important questions which involve the grounds of moral obligation; and respecting which, men of the character which we have supposed, entirely exclude all reference, must always be painful and often injurious: as the continual dropping of water wears away the hardest stone; so an improper intercourse among men may very likely make a breach on the principles and feelings of a Christain. Familiarity with men of pernicious opinions has often been the means of ruining individuals, whose moral and religious opinions, but for this, would have been of the purest kind. A Christian might find himself very unpleasantly situated in being compelled to yield to a verdict against which, both his understanding and his heart recoiled. It is no secret that designing individuals have often wearied out others on a trial by jury and compelled them reluctantly, to give a judgment to which as individuals they would not have assented.

In the practical view of the subject which we are now taking, it is not too much to say that a Christian exposes himself to temptation, by serving as a juror. And every considerate person will admit that it is an imperative duty to avoid temptation. How can a man who has the fear of God before his eyes, deliberately place himself in circumstances in which he will necessarily be exposed to the temptation of committing sin? How can a Christian consistently say, when addressing the throne of his Father in Heaven, "Lead me not into temptation," and immediately proceed and unite himself in a sworn association, with irreligious and unprincipled men? The bounden duty of a witness of the Lord Jesus is, to abstain from every unholy association and cheerfully submit to inconvenience. It is better to suffer than to sin.

# ARGUMENT

ON THE

## MAGISTRATE'S POWER CIRCA-SACRA.

[Published as an Overture.]

WHAT is the duty of the Christian magistrate as it respects sacred things? It is generally known and acknowledged that the opinions of the Christian world respecting magistracy, have undergone a remarkable change since the commencement of the reformation.

That the civil and religious rights of mankind are better understood and more correctly appreciated, is generally admitted. It is the opinion of many, that on these subjects, the community is rapidly becoming more enlightened. Hence it is supposed, that prudence would require us to defer publishing our sentiments on so momentous a question, till the subject shall be better understood. And seeing the church, in consequence of the near approach of the millennium, is "moving with accelerated velocity," it would be wiser not to expose our folly, by exhibiting doctrines which further information may induce us to retract. Such objections are easily obviated. The course of this world has never been considered the standard of either faith or practice by the church of God. The sure word of prophecy, by which we mean to steer our course, points always in the same direction. That which, alone, can enable us to see divine truth clearly, is the Holy Spirit strengthening our intellectual vision, and not the dark and distorting medium of public opinion. There is no new thing under the sun. The church has sometimes been rapid in her motions in former times, as well as now. "Every one turned to his course as the horse rusheth into the battle."* Our people will not expect us to reveal any new truth, or entertain them with theories of our own. Our only aim is to illustrate and defend that great system of evangelical truth, which has been transmitted to us by our reforming ancestors. In the Westminster Confession of Faith we find the following sentiments: "The civil magistrate may not assume to himself the administration of the word or sacraments, or the power of the keys of the kingdom of heaven; yet he hath authority, and it is his duty to take order that unity and peace be preserved in the church, that the truth of God be kept pure and entire, that all blasphemies and heresies be suppressed, all corruptions and abuses in worship

* Jeremiah 8. vi.

and discipline prevented or reformed, and all the ordinances of God duly settled, administered and observed. For the better effecting thereof, he hath power to call synods, to be present at them, and to provide that whatsoever is transacted in them be according to the mind of God."* Their views are further developed in the Larger Catechism, where they enumerate among the duties required, "the disapproving, detesting, opposing all false worship; and according to each one's place and calling, removing it, and all monuments of idolatry. They enumerate among the sins forbidden, all devising, counselling, commanding, using, and in any wise approving any religious worship not instituted by God himself; tolerating a false religion, &c." and we pray that the church may be countenanced and maintained by the civil magistrate.†

The same is the doctrine of our testimony. It is the duty of the Christian magistrate to take order, that open blasphemy and idolatry be suppressed; that the church of Christ be supported throughout the commonwealth; and for the better discharge of these important duties, it is lawful for him to call synods, in order to consult with them; to be present at them, not interfering with their proceedings, (unless they become manifestly seditious and dangerous to the peace,) but supporting the independence of the church, and its righteous decisions, and preserving its unity and order against the attempts of such despisers of ecclesiastical authority as should endeavour, in a riotous manner, to disturb their proceedings.‡

In treating of the magistrate's power, as it respects the church, we have to deal with two sorts of people, namely, the Erastians, who pretend that there is no government to be acknowledged by the church, but that of the state; and the infidels, who pretend that the magistrate, as such, has nothing to do with religion. To each of these we are equally opposed.

Let us first examine the Erastian doctrine, which is, that neither under the Old nor the New Testament did Christ institute any form of government in the church, but left the whole modelling of her doctrine, worship and discipline to the civil magistrate. A doctrine so monstrous, that one would think scarce any professor of religion could have believed, much less maintained it. A sentiment of which Gillespie says, its father was the old serpent, its mother the natural enmity of the heart against God, its birth-place Rome, and it was ushered into the world by Thomas Erastus, M. D., at Heidelburgh.

In opposition to the Erastians, the orthodox divines, in the Westminster Assembly, maintained that Jesus Christ, as king of the church, has himself appointed a church government distinct from the civil magistrate.

As the doctrine of Erastus is not very popular in the present age, and as his followers depended much for the support of their cause on arguments taken from the state of things in the Jewish church, it might

* Chap. 23, sect. 3. † Questions 108, 109, and Answer to Question 191.
‡ Reformation Principles, chapter 28, sec. 7.

seem advisable to let the dispute sink into oblivion; but when we consider that multitudes of errorists and heretics in the present day, hold the same opinions respecting the Jewish church which were held by the Erastians, the discussion of this question appears of no small importance. The Erastians, in order to support their doctrine, maintained that in the Jewish church there were no rulers distinct from the civil magistrate; and no discipline distinct from civil punishment. Our present heretics hold the same opinion; but the two parties deduce very different conclusions from the same premises. The Erastians, supposing that civil and ecclesiastical rulers were the same under the Old Testament, maintained that they are so still. Our present heretics, assuming the same false premises, allege, that all which is recorded of the pious kings of Judah suppressing idolatry, was done by them as ecclesiastical rulers; and that the ancient dispensation being abolished, their example is not to be followed by the Christian magistrate. In opposition to both, we maintain that the Jewish church had a government distinct from that of the state, and a discipline distinct from civil punishment.

We prove our doctrine by the following arguments:

1st. The plan of the Israelites' civil polity was suggested by Jethro, approved by God, and carried into effect by Moses and the people, Ex. xviii, and Deut. i. 9. 18.

But God himself (Moses and the people not being consulted) did separate the tribe of Levi to the service of the sanctuary, and the family of Aaron to the priesthood; and to them he committed the whole administration of ecclesiastical matters. This argument is farther corroborated by Deut. xvi. 18. "Judges and officers shalt thou make thee in all thy gates, which the Lord thy God giveth thee throughout thy tribes." This evidently implies, that the judges and officers might be chosen indiscriminately out of any of the tribes; hence they could not be ecclesiastical rulers, or allowed to interfere in the service of the tabernacle or temple, for that belonged to the priests and Levites only: and the prohibition that no stranger should come nigh on pain of death is *seven* times repeated.* Consequently, judges and officers, appointed by the people out of all their tribes, could not in virtue of such appointment be ministers of religion, much less church rulers. If it could even be proved that they were generally or *always* chosen out of the tribe of Levi, it would not help the Erastians, because the Levites were set apart to minister in *holy things* by God himself; but if they were appointed judges and officers, it was by the people—not for religious service, but to judge civil causes; so that though the priest, or Levite might be a judge or civil officer, it was in another character than that of an *ecclesiastical* ruler. Nay, were it a fact, that civil rulers were generally Levites, it would rather prove that there is no government divinely instituted but that which is ecclesiastical; and that ministers of religion were *ex officio* rulers in the state. But the fact is otherwise: of all the judges, Samuel only was a Levite; for though Eli is said to

* Numbers i. 51; iii. 10. 38; xvi. 40; xviii. 4. 7. Ezek. xl. 9.

have judged Israel, yet, as he was contemporary with Sampson, his jurisdiction was ecclesiastical rather than civil.

2d. In Deut. xvii. 8. 13, the Israelites are directed, if a matter should arise in any of their cities which should prove too hard for the civil judges, to go to the place which the Lord should choose, to inquire of the priests the Levites; and the man that would do presumptuously, and would not hearken to the sentence of the priest or the judge, was to be put to death. From this passage it is evident, that there was an ecclesiastical as well as a civil court; and that in extraordinary cases, either the two met together and determined the matter by their joint suffrage, or that the ministers of religion were the supreme judges in criminal cases. Those that oppose our doctrine may choose which side they please.

3d. In the time of David, we find the distinction between civil and ecclesiastical rulers clearly marked, 1 Chron. xiii. David sets about bringing up the ark from Kirjathjearim to Jerusalem; but the captains of thousands and captains of hundreds seem to have been first consulted. He did not effect his purpose.

In chap. xv. the priests and Levites occupy the most conspicuous place; and in addition to the reason assigned in the 13th chapter, David says, the Lord made a breach upon them, because they sought him not in a proper way; intimating that as this was a religious business, the ministers of religion should have had the precedence. We find, indeed, that David, toward the end of his reign, made several regulations about the service of the sanctuary, but it is evident he did this not as a *king*, or by his authority as a civil ruler; for we find Hezekiah and Nehemiah citing him as an authority for the use of psalms and instrumental music,* which, being civil rulers themselves, they needed not have done had he acted merely in that character. It is true, that in 1 Chron. xxiii. 4, we read that 6000 of the Levites were officers and judges; but this no more proves that the civil and ecclesiastical government was the same, than the fact of one man's being an elder in the church and a magistrate in the state, would prove that a magistrate and an elder is the same.

Although Benaiah was one of the captains and a chief priest, yet the divisions of the army and the divisions of the Levites were perfectly distinct; and though David made a great many of the Levites officers and judges, he did not by that confound church and state. Nay, we find him careful to preserve the distinction, 1 Chron. xxvi. 30, in all the business of the Lord, and in the service of the king, ver. 32, for every matter pertaining to God and affairs of the king. Here we find that God's matters and the king's, though managed by the same persons, were understood to be quite different. But though David, in his choice of civil rulers, appears to have preferred Levites, yet he did not choose them exclusively; for among the rulers of the tribes recorded in the 27th chapter, only two Levites are mentioned. Here it is worthy of observation, that while many of the Levites were appointed rulers over

* 2 Chron. xxix. 25. 30; Neh. xii. 45, 46.

the other tribes, one of another tribe was never appointed to rule over the Levites. Does this prove that, in the Jewish church, civil magistrates were church rulers?

4th. Equally obvious is the distinction between the civil and the ecclesiastical government in the time of Jehoshaphat, 2 Chron. xix. 11. And behold Amariah, the chief priest, is over you in all matters of the Lord, and Zebadiah, the son of Ishmael, the ruler of the house of Judah, for all the king's matters. Here then are ecclesiastical and civil affairs; the matters of the Lord and the matters of the king—ecclesiastical and civil rulers, Amariah the chief priest, and Zebadiah the ruler of the house of Judah.

In short, this chapter gives us the very important account of Jehoshaphat's putting in force that law given in Deut. 17th chap. to which we have already referred.

5th. In Jeremiah, 26th chapter, we find the two governments still distinct: we find the priests and the prophets pronouncing Jeremiah worthy of death, and the people acquiescing in this sentence; but the princes, the civil judges, to whom it belonged to inflict the punishment, heard the cause and reversed the sentence; and it appears that the giddy populace acquiesced in *their* decision. So that although the civil set aside the sentence of the ecclesiastical court, yet it is evident that there were two distinct courts; the court of the priests which, had cognizance of blasphemy and the like, and the court of the princes, which had the power of inflicting civil puhishment.

6th. After the captivity, we find the two departments still separate. We find Zorobabel the supreme ruler, under the king of Persia, in the state; and Joshua, the high priest, the supreme ruler in the church. Afterward we find Ezra the high priest, superintending and directing ecclesiastical matters; while Nehemiah was employed about the business of the commonwealth. It is true, we find them harmoniously co-operating for the reformation of both church and state; but neither of them intruding on the other's province. The distinction of civil and ecclesiastical governors, we find to have continued among the Jews notwithstanding all their corruptions, till the time of our Saviour. We find chief priests and elders mentioned as distinct characters. Matth. xxi. 23—xxvi. 47, 59—xxvii. 1. Luke xxii. 66—xxiii. 13. We see then that even under the Old Testament, the church was complete in herself, and not dependant on the state. As to whether Christ has appointed the civil magistrate a ruler in or over the church in New Testament times, we would only observe, That no such thing is mentioned or even hinted at in scripture; and it is a fact which admits of no dispute, that the apostles and their successors managed the affairs of the church for 300 years without the interference or countenance of the civil magistrate.

In consistency with their fundamental error, of the civil magistrate's being *ex-officio* a church ruler, the Erastians allege, that to him belongs the keys of the kingdom of heaven—that it is his province to admit to or exclude from church privileges—and that there should be no discipline exercised on offenders distinct from civil punishment. For the support

of this opinion, they depend chiefly on arguments taken from the Old Testament. We admit, indeed, that had civil rulers among the Israelites, faithfully executed the divine law, there would have been little need of ecclesiastical discipline. But we prove, that under the Old Testament, sins were viewed, not only as crimes against the state, but also as scandals against the church; and that they were not only punished by the civil magistrate, but also censured by church officers, by the following reasons.

1st. Every punishment that was to be inflicted by the magistrate, is precisely defined; but there was a punishment appointed for offences against the church, which is termed *being cut off from his people.* This cannot mean that the offender should be capitally punished, for where that is intended, it is particularly specified. Nor does it appear to mean that God would immediately take away the life of the offender, for it was the punishment appointed for those who neglected the passover: yet it would seem that the Israelites were often guilty of neglecting that ordinance. The account of its celebration by Hezekiah, in 2d Chron. 30, and by Josiah in chap. 35, naturally induces us to believe that the duty was very much, if not altogether neglected in the times of apostacy. Yet God did not immediately take away their lives.

The meaning of the phrase then seems neither to be cutting off by the civil magistrate, nor by God himself; but *cutting off from church privileges, by excommunication.* This appears obvious, from Numb. xix. 13, where it is used as equivalent to being unclean; his uncleanness is yet upon him, and 20th verse, he is unclean.

2d. The whole fifth chapter of Leviticus, treats of church discipline. There the offender is directed to bring an offering, and to confess his sin not to the magistrate, for he is not mentioned; but to the priest who was to make an atonement. Here, then, we find confession of sin enjoined; public confession for the bringing of the offering to the tabernacle or temple, would make the matter public; and the reparation was to be made, not to the state but to the church. The same law is repeated in the 5th chapter of Numbers. The law in this case exhibits the sin not as a civil crime; but as an ecclesiastical scandal: and the way in which the offence was to be remitted, was not by suffering corporal punishment, but by confession and application to the blood of sprinkling.

3d. How much soever discipline might be neglected in the Jewish church, in times of apostacy, it is plain that it never was neglected with divine approbation. Is. i. 11; lviii. 1; lxvi. 3; Jer. vii. 8; Ez. xxii. 26; xliv. 6. 9. When God declares that on account of their sins, their assemblies were an abomination to him, when he asks whether his house had become a den of robbers in their eyes, and when he so sharply reproves the ministers of religion for not putting difference into his house, strangers uncircumcised in heart and in flesh, how absurd to suppose that there was no discipline in the church; or that the ministers had not committed to them the power of admitting to, or excluding from church privileges? Why should God have upbraided his ministers for neglecting discipline, if no such thing had been required?

4th. That holiness was required as a qualification for membership in the Jewish church, and that consequently discipline must have been exercised, is proved from 2d Chron. iii. 18. For a multitude of the people, even many of Ephraim, and Manasseh, Issachar, and Zebulon, had not cleansed themselves, yet did they eat the passover otherwise than it was written; but Hezekiah prayed for them, saying, the good Lord pardon every one that prepareth his heart to seek God, the Lord God of his fathers, though he be not cleansed according to the purification of the sanctuary. From this we learn, that in the days of Hezekiah, moral purity was considered more acceptable to God, than that which was merely ceremonial.

5th. Again in Ezra vi. 21, and the children of Israel which were come again out of captivity, and all such as had separated themselves unto them from the filthiness of the heathen of the land, to seek the Lord God of Israel, did eat, and kept the feast of unleavened bread, seven days with joy. From this it is plain, that none were accounted fit to eat the passover but those that had separated themselves, to seek the Lord God of Israel.

6th. In Ezra x. 4, Shechaniah, speaking of the sin of the people in taking strange wives, says to Ezra, arise, for this matter belongeth unto *thee :* intimating that Ezra being high priest, and of course the supreme ruler in the church, he was the proper person to take cognizance of this matter. It is true he had the concurrence of the civil men of whom Nehemiah was at this time chief; but the cause was not first carried to them, and though the princes and elders interested themselves to have the law executed on the offenders, yet we find that if any proved contumacious, he was to be punished not only with confiscation of property, but also with excommunication. We see then, that the ministers of religion in the Jewish church, were required to exercise discipline; they were reproved for neglecting it. In times of reformation, discipline was exercised.

7th. That the civil magistrate is not a church ruler, is further proved by the case of Uzziah, 2 Chron. xxvi. 16. 21. Had Uzziah been a minister of religion, the priests certainly would not have thrust him out of the temple: far less can we suppose that God would have struck him with leprosy. If then he was not a minister of religion at all, how absurd to pretend that the ministers of religion as such, were under his government?

The government of every society must necessarily be of the same kind with the society itself—civil society must have civil government, and ecclesiastical society ecclesiastical government. If the example of Moses be urged, who was the civil ruler of Israel, and yet consecrated Aaron and his sons. And of David, who regulated the courses of the priests, composed psalms and invented instruments of music for the temple worship. It may be replied, they did those things as inspired men, having an extraordinary call to that work. Hence we find that both Hezekiah and Nehemiah cite the authority of David for the use of psalms and musical instruments, 2 Chron. xxix. 25. 30; Neh. xii. 45, 46. Not so the reforming kings, Asa, Jehoshaphat, Hezekiah and

Josiah, when they removed monuments of idolatry or punished idolaters. Because in that, they neither acted as extraordinary characters nor needed the example of extraordinary characters to justify them. They acted in destroying idolatry, not as ecclesiastical rulers but as pious kings, God's vicegerents to whom was committed the keeping of both tables of the law. That the New Testament church is required to exercise discipline, is written as with sun-beams. The degree of censure varying with the nature of the offence; as admonition, Matth. xviii, 15; 2d Thess. iii. 15; rebuke, 1 Tim. v. 20; excommunication, 1 Cor. v. and 1 Tim. i. 20; and in all the directions given to the church respecting discipline by our Lord and his apostles, there is not so much as an allusion to the civil magistrate.

The only plausible objection to the exercise of discipline by the N. T. church, is the case of Judas; who it is alleged was admitted to the Lord's supper. Here we might deny the premises as it cannot be proved that Judas partook of the Lord's supper; and if it could be proved, it is nothing to the purpose; the church does not censure for crimes which men *intend* to commit; while that intention is known only to God and themselves.

From the foregoing observations we conclude, that neither the preaching of the word, the administration of the sacraments, nor the exercise of church discipline, belongs to the civil magistrate.

Having set aside the Erastian notion of the civil magistrates being a church officer; we proceed to consider what *is* his duty toward the church. This may be taken up in the three following queries:

1. Is it the duty of the civil magistrate to provide by law, for the support of gospel ministers? 2. Is it the duty of the civil magistrate, to suppress idolatry, heresy, and blasphemy? 3. Should a religious test be required as a qualification for civil office?

On all these subjects we hold the affirmative.

Here let it be observed, that by the term magistrate, we mean the whole authority of the commonwealth, legislative, judicial and executive; and that although we admit that it is every one's duty to promote the interests of Christ's church, seeing we find heathens commended for doing so, Ezra 6 and 7 chapters, yet in all our reasoning about the civil magistrate's power, in matters of religion we mean a government constituted and administered according to the word of God—rulers who love God's law—meditate on it day and night, and make it the constant rule of their conduct.

In defence of our first position, that the government should make legal provision for the support of a gospel ministry, we offer the following observations:

1. All power, physical and moral, is essentially in God, Ps. lxii, 11, "God hath spoken once; twice have I heard this, that power belongeth unto God."

2. As the creature is dependant on its creator for being, so it must also be dependant on him for the manner of its being; it ought to answer the purpose for which it was created; hence, the creator has an essential right to furnish laws for the regulation of every part of his rational creature's conduct.

3. Jehovah being the source and centre of all existence, glory, blessedness, and perfection, he can propose no higher end to himself, than the manifestation of his own glory, Prov. xvi. 4, "The Lord hath made all things for himself." Is. xlii. 8, "I am the Lord; that is my name and my glory will I not give to another, neither my praise to graven images."

4. The end which Jehovah proposed to himself in revealing all things, is that, at which his rational creatures should aim in all their actions, 1 Cor. x. 31, "Whether, therefore, ye eat or drink, or whatsoever ye do, do all to the glory of God."

5. This law necessarily binds every rational creature at all times, and in every situation, Rom. i. 20, "So that they are without excuse;" xxi. "Because that when they knew God, they glorified him not as God."

6. By the church in an especial manner, above all his other works, God manifested his glory, Ps. l. 2, "Out of Zion the perfection of beauty, God hath shined." Is. xlii. 21, "This people have I formed for myself, they shall show forth my praise." Eph. iii. 10, "To the intent, that now, unto the principalities and powers in heavenly places, might be known by the church, the manifold wisdom of God."

7. If God has created all things for his own glory; if he has chosen principally to manifest his glory in the church; if men are required to do all to the glory of God, then magistrates, as such, are bound to protect and encourage the church.

8. This sentiment is further corroborated by the consideration that in all his arrangements, God had a primary regard to the good of his church, for example, marriage was instituted for the good of the church, Mal. ii. 15, "And wherefore one? that he might seek a Godly seed." In apportioning the earth among the various tribes of mankind, Deut. xxxii. 8 & 9, "He set the bounds of the people according to the number of the children of Israel. For the Lord's portion is his people; Jacob is the lot of his inheritance." In the judgments which he inflicted on nations, Is. xliii. 3 & 4, "For I am the Lord thy God, the Holy One of Israel, thy Saviour; I gave Egypt for thy ransom, Ethiopia and Seba for thee. Since thou hast favor in my sight, thou hast been honorable and I have loved thee; therefore, will I give men for thee and people for thy life."

9. Such is the benevolence of the Deity, that he has so intimately connected his own glory and our happiness, that in promoting the one we must necessarily promote the other; but God is especially glorified when his law is obeyed, John xv. 8, "Herein is my Father glorified, that ye bear much fruit. By obedience to the divine law, human happiness is most effectually promoted. That law is not only holy, but just and good." Rom. vii. 12, "A perfect law of liberty," James i. 25.

10. The very purpose for which men set up civil rulers, is to promote the happiness of the community; but the only effectual means of altering this important end is to promote the divine glory.

More particularly, we prove that the civil authority should provide for the support of the gospel by law, from the following considerations, namely,

1. This doctrine is taught by the light of nature. As early as the time of Jacob, "the priests" of Egypt, "had a portion assigned them of Pharoah; and did eat their portion, which Pharoah gave them," so that they did not need to sell their land in the time of famine; and from that time and forward we find religion supported by law among all nations, revolutionary France *and* republican America excepted. So that how much soever heathens may have erred in its application, it is plain they have recognised the principle.

2. That religion was established and supported by law among the people of God, under the Old Testament, require no proof. But it is plain the thing did not originate with Moses; we find Jacob some hundreds of years before devoting the tenth of his property to God; at a still earlier period we find Abraham giving Melchizedek tithes of the spoils.

3. We find it promised to the church, that under the New Testament "kings shall be her nursing fathers; and their queens her nursing mothers." Is. xlix. 23. "That she shall suck the milk of the Gentiles, and the breast of kings." Is. lx. 16, and in the 12th verse, "For the nation and kingdom that will not serve thee, shall perish; yea the nations shall be utterly wasted." If these passages do not mean that the church should be protected—that religion should be established by law, and that ministers should have constitutional security for their support; we would gladly learn, what they do mean. For it is egregious trifling to tell us, as some do, that those passages mean that kings shall be religious men, and that their example shall have a salutary influence on the community. A king and a man are distinct. A man is a private unofficial character: a king is a public official character. Acts of kings are official acts. Besides it is not easy to understand how an irreligious king can be a religious man; or how a man can sincerely desire the good of the church, and yet do nothing to promote it in that capacity in which he has most power and influence. Nor is it easy to conceive what sort of a nursing father or nursing mother it is that affords the child neither nourishment nor *protection.*

4. Although the law respecting tithes is not enforced in the New Testament as to its letter; yet its spirit is recognised, Matth. x. 10, "The workman is worthy of his meat." Luke x, 7, "The laborer is worthy of his hire." 1 Cor. ix, 13 & 14, "Do ye not know that they which minister about holy things, live of the things of the temple? and they which wait at the altar are partakers with the altar? even so hath the Lord ordained that they which preach the gospel should live of the gospel." But it will be objected, if ministers be entitled to support, because the laborer is worthy of his hire, then let them receive their remuneration from those whom they serve. To this it is answered, nations as such, are bound to employ ministers. God has not left it to men's option whether they will have the gospel among them or not. He has declared that the nation that will not serve the church, shall perish. Apply this reasoning to civil officers and what would be the consequence.*

* If every individual were allowed to employ, or pay them, or not, as he pleases, how would they be supported?

Even infidels admit that religion is the most powerful auxiliary of civil government. Sound policy then would point out the support of religion by law, as the best security for civil institutions.

Objection 2. We read of no religious establishment in the New Testament. We reply—There was not at the time the New Testament was written, any Christian government, consequently there could be no national establishment of Christianity. But so soon as the government of the Roman empire became reformed, Christianity obtained a legal establishment.

Objection 3. National establishments confound church and state; and they have been the fruitful parents of oppression, ignorance and immorality. We answer—The best things are liable to abuse and have been abused. But that the establishment of religion by the Covenanters of Scotland from 1638 to 1649, and by the Puritans of New-England, produced oppression, ignorance and immorality, or that it blended church and state, we have yet to learn.

For national establishments in which superstition, idolatry, and the most pernicious heresies, are sanctioned under the name of religion, we offer no apology.

All objections against national establishments of religion taken from the supposed injustice of the thing, as if it were an infringement of the rights of conscience, or held out a lure to ungodly men to join the church, are so many charges against Jehovah himself! He established religion by law, and with him the objector must settle the dispute.

If we be told that the ancient dispensation is now abolished, we reply, that is another part of the subject, it proves nothing against the equity of the thing. That the church of Christ has received a new organization is certainly no proof that the civil magistrate does not owe her protection.

The principles laid down in the beginning of this article, prove that every rational creature is bound by the law of its creation to support and defend the church. For a view of the evils produced by religious establishments, the enemies of the reformation, refer us to the kingdoms of Europe, that is, to show that it would be a very bad thing for *kings*, to own allegiance to him who is King of kings and Lord of lords—or to protect the bride, the Lamb's wife, they refer us to the kings, who, "give their power and strength to the beast," Rev. xvii. 13, and who "have committed fornication with the mother of harlots," Rev. xvii. 2. Europe furnishes no example of king or emperor supporting the *true church*, therefore, all reasoning from the state of things there is perfectly negatory. We have already proved that the Old Testament establishment did not bind church and state.

The second question, in relation to the magistrate's power in religious matters is, ought the Christian magistrate to suppress idolatry, heresy, and blasphemy?

Our Westminister divines have taken their views on this subject from Deut. xiii. and other parallel places of scripture; hence all that is necessary for the defence of their doctrine is to prove that *that* law is not abrogated.

Before we proceed to prove the permanency and immutability of the law in Deut. 13 and 17, let us consider what is its import.

1. It did not require the Israelites to put to death all who differed from them in opinion. 2. It did not require them to put all *idolators* to death. It gave them no authority to take cognizance of the conduct of the idolatrous nations around them. 3. It did not require them to pry into men's private opinions, while they kept them private. But 4. It required them to punish with death all who would attempt to propagate idolatry. 5. It required them to punish in like manner all Israelites who would practice idolatry, all who would seduce others or apostatise themselves, from the worship of the true God to idolatry. Deut. xxii, 2. 7.

We prove that this law neither *is* nor ever can *be* abrogated from the following reasons:

1. Idolatry rejects the authority and strikes at the very existence of Jehovah. It says that he should not be God, consequently it rejects every law that he has given to his rational creatures, and even denies his authority to give law. Hence it opens the flood gates to all crimes and is not less pernicious to civil society than subversive of divine authority.

2. Job says, chap. xxxi. 26. 28, "If I beheld the sun when it shines, or the moon walking in brightness; and my heart hath been secretly enticed, or my mouth hath kissed my hand;" this also were an iniquity to be punished by the judge, for I should have denied the "God that is above." It was the custom of idolaters to kiss the images of their gods. 1. Kings xix. 18, "All the knees that have not bowed unto Baal, and every mouth which hath not kissed him." Hos. xiii. 2, "Let the men that sacrifice kiss the calves." It appears then that the sun, being too distant an object for kissing, they kissed the hand and stretched it toward him, as we do in modern times when we would salute those whom we cannot reach. This paying of adoration to the sun, then, is declared to be an iniquity to be punished by the judge. Why? Because it is an offence against civil society? No: but because it would be "denying the God that is above." As to the quibble that some have offered, viz. that the judge means God, it is sufficient to observe that the word here employed, is never used in such a sense, and that the judge and the God that is above are plainly distinguished.*

3. We prove that the law respecting idolatry, is obligatory under the New Testament from Zech. xiii. 3. All admit that that production refers to the times of the gospel; yet we are assured that there the law respecting idolatry will be executed in its utmost rigor. Some pretend to set aside this argument, because, say they, the false prophet and the heretic are enitrely different characters. We have only to observe that this was not Peter's mind, 2. Pet. ii. 1, "But there were false prophets also among the people, even as there shall be false teachers among you, who privily shall bring in damnable *heresies*. Peter seems to have thought heretics the genuine descendants of false prophets.

4. We prove our doctrine from Rom. xiii. 4, where the civil magistrate

* This assertion is made after a critical examination of all the places where the word judge occurs in the Old Testament.

is called by the apostle the servant (Gr. diakonos) of God. 6. The minister (Gr. leitrougos) of God; and in Ex. xxii. 28, they are called gods, "Thou shalt not revile the gods nor curse the rulers of thy people." Ps. lxxxii. 6, "I have said, ye are gods and all of you sons of the Most High."

From these and similar passages, we conclude that magistrates are God's vicegerents—that they are keepers of both tables of the law, and therefore ought to punish the violaters of the first as well as of the second table." Rulers are not a terror to good works, but "to the evil." We ask then, by what standard are they to pronounce works good or evil? Is it by God's law or some other? Is it by the second table only that they are to judge or by both tables? Must he be partial in the law? He is a revenger to execute wrath on him that "doeth evil." Is an idolater, a heretic or a blasphemer, not an evil doer?

5. The many passages of divine revelation in which the universal supremacy of the Redeemer is asserted, and particularly his authority over rulers of every grade, prove that civil rulers should protect the bride the Lamb's wife by suppressing idolatry, heresy and blasphemy. Ps. ii. 6; Prov. viii. 15, 16; Dan. vii. 13, 14; Matth. xxviii. 18; 1 Cor. xv. 25. 27; 1 Tim. vi. 15; Rev. i. 5., &c.

6. The equity of the law is admitted by the apostle in Heb. x. 28, "He that despised Moses' law died without mercy under two or three witnesses." This he makes the basis of an argument and thus establishes its immutable equity. The force of the apostle's reasoning is, that by how much the Son of God is more glorious than Moses, by so much disobedience to him is a more aggravated offence. It is true this proves nothing with respect to the perpetuity of Moses' law, but it does prove that it was founded on the principles of immutable justice. If the fact that the criminality of idolatry is aggravated under the gospel, proves that it is too great a crime to be punished by man, as some absurdly pretend; then, the same may be affirmed of all crimes; and if the premises were admitted, then all civil punishment must be abolished, especially as it is only in the Old Testament, that a magistrate will find any directions as to the manner in which crimes are to be punished.

7. In Heb. ii. 2, we are informed that "every transgression and disobedience, received a just recompense of reward." Indeed, if we admit that God gave the law to Moses, how could it be otherwise? Was it possible that God could give an unjust law? Was it possible that he would not annex an adequate penalty to his own law? Was it possible that he would enforce his law by too severe a penalty? What an astonishing compound it is of folly, arrogance and wickedness, for men to suppose they know better what is an adequate punishment for breakers of the divine law than the great Lawgiver!

8. We prove that it is the duty of civil rulers to suppress idolatry by the examples of Asa, Hezekiah and Josiah. To this, it is objected by some that those kings lived under an extraordinary dispensation and had the privilege of consulting God by Urim and Thummim, and that unless we have equal privileges, we should not imitate their conduct.

We reply—It is easy to quibble. We do not read that Urim and Thummim were consulted or to be consulted, but in great public emergencies. How ridiculous to talk of consulting God, to know whether we should keep or break his law! Where does the objector find the most distant hint of the people of God consulting Urim and Thummim, to know whether they should punish idolaters!

It is farther objected that the kings of Judah were church rulers, and in reforming abuses in the church and in punishing idolaters, acted, not as civil, but as ecclesiastical officers. The fallacy of this position has been shown in our reasoning with the Erastians. The church and the state were as distinct under the Old Testament, as they are under the New.

It is still farther objected, that they were typical characters. This is our opponent's strong city, and as a high wall in their own conceit. It is deemed their impregnable fortress. We shall, therefore, consider it somewhat more particularly.

That there were typical persons, things, times and places is admitted. That there were laws which respected those typical things, and th a these are now abrogated, is also admitted.

From this arises a very important question, viz. How shall we know which of the Old Testament laws are abrogated, and which are obligatory?

Some of our opponents themselves have answered the question satisfactorily in this manner, viz. If the law relates to something which was typical, and which has had its fulfilment in Christ, or some New Testament institution, it is of course abrogated; but if it belong to the moral law—that is, if it has had its foundation in the moral perfections of God, or in the relation subsisting between him and his rational creatures, or among the creatures, it is still in force. Of the latter kind we consider the law respecting idolatry. We have seen that idolatry is a crime that strikes at the very existence of God. We have seen that it is a crime by which the creature renounces the allegiance which it owes to its creator; and therefore, the law against it neither is nor can be repealed.

But it is alleged, that as God was himself immediately the king of Israel, idolatry was viewed under the Old Testament in the light of treason, and therefore being a crime against the government, it was to be more severely punished formerly than now. This argument is based on an unscriptural and absurd principle, viz. that an offence against the peace of society is greater than one against God himself. It is based also on a false assumption, that God was the King of Israel in a sense in which he is not our King. In opposition to this, let it be observed that the civil government of Israel was completely organized by Moses in the wilderness; they had a perfect code of laws given them, and officers appointed to administer those laws. Hence we never find God interfering with either their civil or ecclesiastical polity, farther than to give evidence of his approbation when his laws were obeyed, and of his disapprobation when they were violated. Finally, on this point, God always was, is, and for ever will be King of nations, Jer. x. 7. 16. The language of the church in all ages, is "The Lord

is our Judge—the Lord is our Lawgiver—the Lord is our King, Isa. xxxiii. 28, "There is one Lawgiver, who is able to save and to destroy," Jas. iv. 12. Sins against God are not extenuated but aggravated under the gospel.

9. We prove that the laws against idolatry and blasphemy, were not peculiar to Israel, but were intended as a perpetual and immutable rule for all nations; from the fact that in respect to blasphemy, there was to "be one law for the stranger and for him that was born in the land." Lev. xxiv. 16; Num. xv. 30. The law respecting enticers to idolatry, Deut. xiii. and apostates, Deut. xvii. 2. 7, makes no distinction between an Israelite and a foreigner. Very different was the case with respect to ceremonial institutions. No law required the foreigner to observe them; whether circumcision, the passover, purifications, meats or festivals.

After all the notion of idolatry being a typical crime, seems too absurd to merit a moment's consideration. We therefore reject the notion of its being a type of high treason.

Our opponents have some plausible objections against our system, which we might dismiss by adopting the sentiments of some able writers, viz.—That the arguments belong to our knowledge; but the *objections* to our ignorance; and therefore, objections arising from our ignorance should never induce us to call in question what we know. But as our object is to satisfy, as far as possible, every candid mind, and as we believe that we are able by the aid of reason and revelation to solve all the difficulties which are presented to us, we shall attend to some of their strong reasons.

1. To prove that the laws against idolatry and blasphemy, are not now binding, we are referred to Christ's conduct towards the Samaritans, and the woman taken in adultery, and to 2 Cor. x. 4. We reply; it shows either great ignorance or great want of candor to argue from the directions given to private Christians, or gospel ministers, to the duty of civil magistrates. Christ acting as the *great high priest of our profession* took upon him the form of a servant, "a servant of rulers! He was a minister of the sanctuary. True, he is "King of kings, and Lord of lords!" But in no instance would he interfere with the province of the civil magistrate. Only let it be observed, that neither by precept nor example did he inculcate subjection to heathen rulers, but in both ways he inculcated subjection to the Jews. The question of paying tribute to Cæsar he left undetermined, but he directed Peter to pay the tribute money for the service of the temple. He told his disciples, "The Scribes and Pharisees sit in Moses' seat, all therefore, whatsoever they bid "you observe, that observe and do." He gave no such command concerning Cæsar, Herod or Pontius Pilate.

The very fact that the Redeemer introduced a new dispensation *into the church*, but made no alteration in the state, and that his apostles have contented themselves with merely enjoining subjection to civil rulers, prove that the laws which he gave to Israel, are as far as they are moral still binding.

It may be alleged, that it would be absurd to suppose that Christiani-

ty would enjoin obedience to a dynasty that had almost come to a period. We reply—Our business is with matter of fact. The Jewish government lasted about forty years after this command was given ; and how short soever its duration might have been, the commands of Christ were an explicit recognition of its authority among Christians.

2. It is alleged, that to punish men for idolatry, blasphemy or heresy, would be an infringement of the rights of conscience—it would be persecution.

To this it may be replied, that scripture never speaks of persecution, but in reference to the people of God. We read of persecution for righteousness sake, but never for wickedness sake. We therefore conclude that to punish men for breaking God's law, is not persecution in the scriptural acceptation of the word.

The worshippers of Baal must have been very conscientious, yet Elijah put them to death. Paul was very conscientious in murdering the saints, and compelling them to blaspheme. Would it have been persecution to prevent him?

A jesuit may be very conscientious in taking an oath to murder his prince because he thinks him a heretic, and the prince may be equally conscientious in making the jesuit expiate his crimes by the axe or halter.

Besides who is lord of the conscience, is it not God himself? Shall we pretend then that he has given conscience authority to break his law? Under pretence of respect for the divine law, plead the rights of conscience for breaking that law!

3. It is alleged that no man, individually considered, has a right to force his opinions on another; but the power of the community is made up of the power of individuals, and as no one of them had the power of forcing his neighbor to be of his opinion, neither has the community.

To this we reply, there is here an (*ignoranitia elenchi*) mistake of the question. We do not plead for forcing others to be of our opinion. Papists have held the principle and acted upon it, but not Reformers.

What we plead for is, that the magistrate should, by the power of the sword, restrain men from propagating idolatry, blasphemy, or damnable heresies.

Further, the objection is *prima facia* absurd ; if the government has no more power than an individual, what purpose does it serve?

We assert farther, that it is not from the community, in every respect, that civil rulers receive their authority.

The community have a right to choose their own rulers, according to the divine law; but the institution of government is from God : and to him civil rulers must render an account at last. Prov. viii. 15. By me kings reign and princes decree justice, &c.

4. It is objected to our doctrine, that it would make men hypocrites.

This objection would be equally valid against punishing men for crimes against the second table of the divine law, as for punishing them for crimes against the first. If it be true that because civil punishments cannot change the heart, therefore men should not be restrained from idolatry, blasphemy, and damnable heresies, because their restrain-

ing them will only be hypocrisy; then away with gibbets, penitentiaries, prisons and finings; for these cannot change the heart.

Then men must no longer be restrained from murder, adultery, and theft, by corporal punishment; because in that case their abstaining from them will be only hypocrisy. Let loose the gambler, the counterfeiter, the thief, the murderer, the robber, &c., on society, lest by restraining them from the commission of crimes, you encourage hypocricy.

The same aagument would be equally cogent against the infliction of ecclesiastical censure: men might plead, and actually have pleaded, the rights of conscience against church censure: and that it tends to make men hypocrites; yet Paul delivered Hymeneus and Alexander to Satan, that they might learn not to blaspheme,* and commands us to reject a man that is an heretic, after the first and second admonition.†

Add to all this, that civil punishment was never intended for changing the heart—it is *punishment*, not discipline. It is to preserve the health of the body politic. The only way which divine wisdom has appointed for changing the heart, is the *gospel preached with the Holy Ghost sent down from Heaven.* Of his own will begat he us, with the word of truth.‡

Church censure is for reformation, that by the destruction of the flesh, the spirit may be saved in the day of the Lord Jesus.§ Civil punishment is for the good of the commonwealth. And all Israel shall hear, and fear, and shall do no more snch wickedness as this is among you.‖

5. It is alleged that our system would make the magistrate the supreme judge in matters of faith.

No; we hold that the decision of religious controversies, belongs originally to the church, Zech. vii; Mal. ii. 7; Acts xv., and that in all difficult cases, civil rulers should constitute the ministers of religion. Num. xxvii. 18, spake Joshua—and give him a charge—and he shall stand before Eleazor the priest, who shall ask counsel for him after the judgment of Urim, before the Lord. Deut. xvii. 9; Thou shalt come unto the priests, the Levites, and unto the judge, that shall be in those days, and inquire, and they shall show thee the sentence of judgment.

David, when brought to a proper sense of duty, consulted with the children of Aaron and the Levites, 1 Chron. xv. 4. 14. But we hold that in extraordinary cases something extraordinary may be done. When Nabal proved himself such a son of Belial that a man could not speak to him, Abigail assumed the management of their domestic affairs. In the same manner we also hold, that if the church becomes notoriously corrupted, the civil magistrate may, as the minister of God, for good to the community, adopt means for her reformation. As on the other hand, if civil rulers be tyrants and usurpers, the ministers of the gospel should endeavor to have them deposed, and others put in their room. See the examples of David, Jehoshaphat, Asa, Hezekiah, Josiah, Jehoiada. The magistrate may not interfere immediately with ecclesiastical matters, but he is always bound to enforce every enact-

* 1 Tim. i. 20. † Tit. iii. 10. ‡ James i. 18. § 1 Cor. v. 5. ‖ Deut. xiii. 11.

ment which the church of Christ makes, in agreeableness to his law. Whatsoever is commanded by the God of heaven, let it be deligently done for the house of the God of heaven: for why should there be wrath against the realm of the king and his sons?

6. It is further asked by way of objection, if the church and the magistrate differ, who shall decide? This might be answered by asking, if ministers differ, who shall decide? Let it be observed, that we have all along taken it for granted, that the magistrate is such as the word of God requires him to be, namely, an able man, wise, fearing God; one that delights in the law of the Lord. To such magistrates, and to such only, would we commit the support and defence of the church. We hold, that in all religious controversies, the Spirit of God, speaking in his word, is the supreme judge.

7. It is objected, that this doctrine would justify the cruelty of the papists; and that it is so much of popery, from which our ancestors were not reformed. In reply to this it may be asserted, that at no time since the introduction of popery, were its abominations more clearly understood, more thoroughly detested, or more faithfully exposed, than during the time of the Westminster Assembly. If punishing men for *breaking* God's law, and punishing them for *keeping* it, be the same, then we imitate the cruelty of the papists; for they punish men because they will not *commit* idolatry, and we would have them punished who do commit it. If they accuse us of cruelty, the charge must fall on God himself, the great lawgiver. He made the law, not we: we only vindicate his law against the opposition of men of corrupt minds. According to the spirit of this objection, it will be a time of great cruelty when the Lord shall pour out upon his people a spirit of grace and supplication; for then, the father and the mother of the false prophet shall thrust him through when he prophesieth. And that this thrusting through, is not to be understood in a metaphorical sense, appears evident from what is said in the immediate context, "Thou shalt not live."* And, according to the objection, it was very cruel on the part of the Redeemer, to declare that, unless a man hate his father and mother, and wife and children, in comparison of Him, he cannot be my disciple. Can any thing be more horribly blasphemous than thus to accuse the God of mercy of having made a cruel law? But to all our reasoning from the Old Testament, it is objected that the Jews were under a theocracy; hence the laws against idolatry, and the severe national judgments with which they were so frequently visited; but God has altered his way of dealing with the human family, and so should we. To this sophism we reply, God's precepts, and not the dispensations of his providence, are the rule of our duty. Were this not the case, when we find a man sick, we should endeavor to make him sicker; when we find a man rich, we should endeavor to make him richer; if poor, poorer; but Solomon tells us, Prov. xxii. 16, he that oppresseth the poor to increase his substance, and he that giveth to the rich, shall surely come to want. But we deny the premises; and affirm, that when nations transgress God's law, he treats them now as he

* Zech. xiii. 3.

did formerly. What were the punishments which God inflicted on the Jews for their national sins? Sword, famine, pestilence, &c. See the prophecies of Jeremiah and Ezekiel. Does he not inflict similar judgments on offending nations still?

Let our frequent inclement seasons; let the wars, which, from 1789 till 1815, devastated the various nations of the world; let the multitudes that every year lose their lives while pleasuring on the Lord's day; let the destructive fires which so frequently occur in our populous cities, especially in those most notorious for wickedness; let yellow fever and cholera answer the question.

But to show that we admit neither the doctrine nor practice of papists, let the difference between them and us be distinctly understood.

1. The papists consign all to damnation that are without the pale of their church. We believe, that Christ holds communion with various other denominations of Christians besides ourselves.

2. The papists, as far as they have the power, put all to death who differ from them in judgment, by denying the pope's authority. We have never pretended that every error in opinion should subject a man to punishment, far less to capital punishment.

3. Papists punish men for disbelieving their opinions, though they never had an opportunity of knowing them. We would punish only obstinate idolaters, blasphemers, and incorrigible heretics.

4. Papists punish men for reading the Bible. We say, search the scriptures.

5. Papists make the decrees of popes and councils, the writings of the Fathers, and unwritten traditions, the supreme standard in matters of faith. We say, "to the law and to the testimony; if they speak not according to this word, it is because there is no light in them." From these remarks, the reader may easily perceive how unjustly we are charged with desiring to put all to death who differ from us in opinion. Surely men who so much dread having the law of God executed, who are so ready to charge it with infringing on their rights of conscience, with cruelty, &c., must be conscious that their system and that law do not quadrate.

The third question to be discussed was, should a *religious test* be required as a qualification for civil office? or should a man, previous to his entrance on office, be required to swear that he will support the true religion? This we answer in the affirmative; and after what has been said, we deem it unnecessary to be very prolix in the proof.

That the subject may be clearly understood, we would premise, that we do not mean that swearing to support and defend the church, should open the door of office to irreligious men. We have nothing to say in favour of making divine institutions "*a pick-lock to a place.*" It is taken for granted, that none should be admitted into the church but men of knowledge and piety. And we affirm that church members only should hold civil office; that as civil government is instituted for the good of the church as well as of the state, none but the church's friends should be intrusted with its administration. That as God is the author of civil government, himself the supreme governor, civil

rulers should be required to take an oath of fidelity to him as well as to the commonwealth. Having settled the point with those who think that civil rulers should have nothing to do with religion, we shall not resume the subject. They are consistent in not requiring a religious test from their rulers.

That the civil magistrate should be a member of the church, and swear to promote her interests, we prove by the following considerations:

1. In 2 Samuel v. 3, and in 1 Chron. xi. 3, we are told that, all the elders of Israel came to David to Hebron, and that he made a covenant with them *before the Lord*. They did not trust their lives and fortunes to the will of a despot. They made a league, and this was made before the Lord—in the divine presence, or with a recognition of his authority, Ps. cxvi. 9. I will walk before the Lord.

2. In 2 Kings xi. 17, and 2 Chron. xxiii. 16, we read that Jehoiada made a covenant between the Lord and the king and the people, that they should be the Lord's people. It is plain that not only were the king and the people solemnly bound to the performance of their reciprocal duties, but both together bound themselves, by solemn covenant, to the performance of those duties which they owed to God.

Perhaps some will object that this was under the ancient dispensation—that the transaction was typical, &c. If the objector can prove that the Israelites had only a typical existence—that civil government is a typical thing—and that the God of Israel was only a typical character, let them do it. If they cannot prove all these, we shall hold their sophisms about theocracy, typical oaths, &c. unworthy of a reply.

3. In Eccles. viii. 2, Solomon says, I counsel thee to keep the King's commandment and that in regard of the oath of God. Is not the oath of God a religious test? If it be alleged that every oath may be called the oath of God, because it is by him we swear, we deny the position; for an oath by the head of Mahomet, or the cross, or the Bible, is not an oath by God. Again, shall we pretend to invoke God in swearing and yet allow nothing religious in the oath?

4. An oath of office should either expressly or by implication, bind to the performance of all those duties which the divine law requires of him who is to execute that office. But the divine law requires the civil magistrate to protect the church; therefore he should be bound to do so by his oath. Those who take a different view of this subject, point with an air of triumph to Europe, to designate the good a religious test has done there? We ask in return, in what nation of Europe have they made the experiment? For we must again repeat, that we do not consider an oath to support superstition and tyranny a *religious* oath. There was a short period when a religious test was required in Britain, as a qualification for office, during the sitting of the Westminster Assembly. What fatal consequences did it produce? It produced the reformation of both church and state, to a degree of purity unknown in any other nation. But it is alledged that a number of hypocrites crept into the church during that period, and this is charged to the account of a religious test. If we could banish hypocrisy from the world, it could only be by banishing true religion—where there is good coin, we may expect to

find men base enough to counterfeit it; so while there is religion in the world, we may expect that Satan will tempt his servants to become hypocrites. But would those hypocrites not get into office if there were no religious test? It must be admitted that they would; but then it is alleged that we would not have incurred the guilt of tempting men to perjury and hypocrisy. If this mode of reasoning proves any thing, it will prove that we should not require an oath from witnesses before a court; for if they are bad men it may tempt them to perjury. Nor should we require from the applicants for church-privileges, a confession of faith, nor a reformation of their practice, for this will tempt them to hypocrisy. We should not require from offenders an acknowledgment of their offence, for this will tempt them to hypocrisy.

Nay, according to this reasoning, every law of God and man should be abolished, that men may, without restraint or disguise, act out the desperate wickedness of their hearts.

Further, the argument takes it for granted, that the applicant for office is one that will scruple at no means to attain his end. Now, this never touches our system; for we maintain that whether a religious list were required or not, none should be admitted to office, but men of approved fidelity to the cause of God.

Again, taking the objector on his own ground, does he want the door of office set open to men who do not regard an oath? Does he want every restraint taken away, that the vilest of men may be exalted? Then why require an oath of office at all? Why not say to civil rulers as sycophants have told their princes, that they are accountable to none but God? Then we should have rulers without hypocrisy—such as Pharaoh, Jeroboam, Nebuchadnezzar, the twelve Cæsars, &c. But knowing the natural corruption of the human heart, and its consequent tendency to abuse power, we believe that those invested with office should give to the community all the security which is authorized by the word of God.

And we have seen, that the approved example of God's people warrants the community to require from their rulers an oath for the maintenance of religion and liberty.

That some notorious hypocrites swore the covenants, in the time of the reformation, is not to be denied; but would those characters have acted better, either as men or as rulers, if there had not been a religious test? Were Laud and Buckingham any better than Sharp and Lauderdale? Suppose the covenants were abused by some making them a passport to office; what then? It is axiomatic in logic, that the *abuse* of a thing proves nothing against its *use*. After all, it is well known that before Charles Stuart and his adherents ventured to act out the wickedness of their hearts, they set aside the covenants as an *oath of office*, and substituted in its stead their own *irreligious test*. Even to such men as Stuart, Sharp, Middleton, and Lauderdale, the covenant proved for a time a salutary restraint. And they might have done so still, had not the usurpation of Cromwell, and the intrigues of Monk, prepared the nation for permitting them to be set aside.

Upon a review of the whole, we conclude that the doctrine of Covenanters, in relation to civil government, is in perfect accordance with reason and divine revelation. To satisfy our readers that the doctrine contained in this discussion is the same with that of the reformed churches generally, we refer such of them as have not an opportunity of consulting the confessions of those churches, to Gillespie's Aaron's Rod Blossoming, where they will find quotations from *seven* confessions, all maintaining the same sentiment.

NOTE.—Those who desire more ample information on the subject of the magistrate's power *circa sacra*, may consult Gillespie's Aaron's Rod Blossoming; Turretine, Loc. 18. Quæst. 34. "*Quadnam sit jus Magistratus Christiani circa sacra.*" Brown on Toleration; and Houston's Reviewer Reviewed.

END.